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NEW DELHI, SATURDAY, OCTOBER 1, 1988/ASVINA 9, 1910

इस भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as
a separate compilation

भाग II—खण्ड 3—उप-खण्ड (II) PART II—Section 3—Sub-Section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Ministries of the Government of India (other than Statutory Orders and Notifications Issued by the
Ministry of Defence)

विधि और न्याय मंत्रालय
(विधि कार्य विभाग)

नई दिल्ली, 16 अगस्त, 1988

सूचनाएं

का. प्रा. 2888:—नोटरीय नियम, 1956 के नियम 6 के अनुसरण में सूक्ष्म प्राधिकारी द्वारा यह सूचना दी जाती है कि श्रीमती रश्मी एस. देसाई, अधिवक्ता ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस भाग के लिए दिया है कि उसे बड़ौदा में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आप्रोप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. 5(21)/88-न्या.]

MINISTRY OF LAW AND JUSTICE
(Department of Legal Affairs)

New Delhi, the 16th August, 1988

NOTICES

S.O. 2888.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries 1956, that application has been made to the said

2341 GI/88—1

(3543)

Authority, under rule 4 of the said Rules, by Mrs. Rashmi S. Desai Advocate, for appointment as a Notary to practise in Baroda.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(21)/88-Judl.]

नई दिल्ली, 17 अगस्त, 1988

सूचनाएं

का. प्रा. 2889:—नोटरीय नियम, 1956 के नियम 6 के अनुसरण में सूक्ष्म प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री गोतम कुमार खेरिया ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस भाग के लिए दिया है कि उसे पश्चिम बंगाल और त्रिपुरा राज्य में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आप्रोप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. 5 (28) / 88 न्या.]

New Delhi, the 17th August, 1988

S.O. 2889.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Gautam Kumar Khedia for appointment as a Notary to practise in the state of West Bengal & Bihar.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(28) 88-Judl.]

नई दिल्ली, 23 अगस्त, 1988

का. आ. 2890.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में महम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री उदय नारायण घोष श्वेत ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अर्धन एक आवेदन इस बात के लिए दिया है कि उसे पश्चिम बंगाल (उत्तरी कानूनन, में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. 5 (24) / 88-न्या०]

New Delhi, the 23rd August, 1988

S.O. 2890.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Uday Narayan Ghosh Sheweth for appointment as a Notary to practise in East Calcutta (West Bengal).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(24) 88-Judl.]

का. आ. 2891.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में महम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री एन. के. पिल्लै, अधिवक्ता ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अर्धन एक आवेदन इस बात के लिए दिया है कि उसे बंगाल में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. 5 (27) — 88-न्या०]

के. जी. सिंह, महम प्राधिकारी

S.O. 2891.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries, 1956, that application has been made to the said

Authority, under rule 4 of the said Rules, by Sh. N. K. Pillai, Advocate, for appointment as a Notary to practise in Bombay.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

K. D. SINGH, Competent Authority
[No. F. 5(27) 88-Judl.]

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 10 मई, 1988

आयकर

का.आ. 2892.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "ब. अहमदाबाद टेक्स्टाइल मिल्स फाउण्डेशन" को कर-निर्धारण वर्ष 1985-86 से 1988-89 तक के लिए अधिसूचित करती है।

[सं. 7926/का.सं. 197/131/84-आ.क. (नि.-1)]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 10th May, 1988

(INCOME-TAX)

S.O. 2892.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Ahmedabad Textile Mills, Foundation" for the purpose of the said sub-clause for the assessment years 1985-86 to 1988-89.

[No. F. 7926/F. No. 197/131/84-IT(A1)]

का.आ. 2893.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "जाना प्रबोधिनी, पुणे" को कर-निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 7917/का.सं. 197/140/87-आ.क. (नि.-1)]

S.O. 2893.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Jnana Prabodhini, Pune" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 7927/F. No. 197/180/87-IT(A1)]

का.आ. 2894.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ "अल्बर्ट-प्रीड प्रशिक्षण केंद्र, अहमदाबाद" को कर-निर्धारण वर्ष 1987-88 और 1988-89 तक के लिए अधिसूचित करती है।

[सं. 7928/का.सं. 197/64/87-आ.क. (नि.-1)]

S.O. 2894.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Adult Training Centre for the Blind, Ahmedabad" for the purpose of the said sub-clause for the assessment years 1987-88 and 1988-89.

[No. 7928/F. No. 197/64/87-IT(A1)]

का.आ. 2895:—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "बाल कल्याण महाराष्ट्र राज्य परिषद्, बम्बई" को कर-निर्धारण वर्ष 1986-87 से 1988-89 के लिए अधिसूचित करती है।

[सं. 7929/फा.सं. 197/133/86-आ.क. (नि. II)]

S.O. 2895.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Maharashtra State Council for Child Welfare, Bombay" for the purpose of the said sub-clause for the assessment years 1986-87 to 1988-89.

[No. 7929/F. No. 197/133/86-IT(AI)]

का.आ. 2896:—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "एस.पी.एस. चिल्ड्रन्स विलेजिज आफ इण्डिया, नई दिल्ली" को कर-निर्धारण वर्ष 1980-81 से 1988-89 तक के लिए अधिसूचित करती है।

[सं. 7930/फा.सं. 197/46/86-आ.क. (नि.-1)]

S.O. 2896.—In exercise of the powers conferred by sub-Act, 1961 (43 of 1961), the Central Government hereby notifies "SOS Children's Villages of India, New Delhi" for the purpose of the said sub-clause for the assessment years 1980-81 to 1988-89.

[No. 7930/F. No. 197/46/86-IT(AI)]

का.आ. 2897:—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "गांधी ग्राम ट्रस्ट, गांधी ग्राम, मदुरै" को कर-निर्धारण वर्ष 1986-87 से 1988-89 तक के लिए अधिसूचित करती है।

[सं. 7931/फा.सं. 197/8/88-आ.क. (नि.-1)]

S.O. 2897.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Gandhigram Trust, Gandhigram, Madurai" for the purpose of the said sub-clause for the assessment years 1986-87 to 1988-89.

[No. 7931/F. No. 197/8/88-IT(AI)]

का.आ. 2898:—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "हरिजन सेवक संघ, नई दिल्ली" को कर-निर्धारण वर्ष 1989-89 के लिए अधिसूचित करती है।

[सं. 7932/फा.सं. 197/189/87-आ.क. (नि.-1)]

S.O. 2898.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Harjan Sevak Sangh, New Delhi" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 7932/F. No. 197/189/87-IT(AI)]

का.आ. 2899:—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "स्वामी सुखदेवानन्द ट्रस्ट, श्रीविनेश" को कर-निर्धारण वर्ष 1985-86 से 1988-89 के लिए अधिसूचित करती है।

[सं. 7933/फा.सं. 197/162/87-आ.क. (नि.-1)]

S.O. 2899.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Swami Sukhdevanand Trust, Rishikesh" for the purpose of the said sub-clause for the assessment years 1985-86 to 1988-89.

[No. 7933/F. No. 197/162/87-IT(AI)]

का.आ. 2900:—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "आसम राईफल समूह बीमा योजना, शिलोंग" को कर-निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 7934/फा.सं. 197/69/88-आ.क. (नि. I)]

S.O. 2900.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Assam Rifles Group Insurance Scheme, Shillong" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 7934/F. No. 197/69/88-IT(AI)]

का.आ. 2901:—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "भगिनी समाज बम्बई" को कर-निर्धारण वर्ष 1985-86 से 1988-89 के लिए अधिसूचित करती है।

[सं. 7935/फा.सं. 197/190/85-आ.क. (नि. I)]

S.O. 2901.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Bhagini Samaj, Bombay" for the purpose of the said sub-clause for the assessment years 1985-86 to 1988-89.

[No. 7935/F. No. 197/190/85-IT(AI)]

का.आ. 2902:—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "दा मूंचर्जी नौरोजी बानाजी इण्डस्ट्रियल होम फार द ब्लाइन्ड, बम्बई" को कर-निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 7936/फा.सं. 197/71/88-आ.क. (नि. I)]

S.O. 2902.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Muncharjee Nowrojee Banajee Industrial Home for the Blind, Bombay" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 7936/F. No. 197/70/88-IT(AI)]

का.आ. 2903:—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "फ्रेंड्स ऑफ मोरल री-आर्ममेंट (इण्डिया), महाराष्ट्र" को कर-निर्धारण वर्ष 1985-86 से 1988-89 तक के लिए अधिसूचित करती है।

[सं. 7937/फा.सं. 197/153/82-आ.क. (नि. I)]

S.O. 2903.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Friends of Moral Re-armament (India), Maharashtra" for the purpose of the said sub-clause for the assessment years 1985-86 to 1988-89.

[No. 7937/F. No. 197-A/153/82-IT(AI)]

का.प्रा. 2904—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "पीपल्स एक्शन फॉर डेवलपमेंट (महाराष्ट्र)" को कर निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 7938/का.सं. 197/231/87 प्रा.क. (नि. I)]

S.O. 2904.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "People's Action for Development (Maharashtra)" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 7938/F. No. 197/231/87-IT(A1)]

का.प्रा. 2905—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "श्री रामकृष्ण आश्रम, निम्पिथ, पश्चिम बंगाल" को कर निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 7939/का.सं. 197/222/86 प्रा.क. (नि. I)]

S.O. 2905.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Ramkrishna Ashram, Nimpith, West Bengal" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 7939/F. No. 197/222/86-IT(A1)]

का.प्रा. 2906—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "लिटिल सिस्टर्स ऑफ द पोर, कलकत्ता" को कर निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 7940/का.सं. 197/176/87 प्रा.क. (नि. I)]

S.O. 2906.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Little Sisters of the Poor, Calcutta" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 7940/F. No. 197/176/87-IT(A1)]

नई दिल्ली, 20 मई, 1988

का.प्रा. 2907—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "दि श्रद्धानन्द महिला आश्रम, बम्बई" को कर निर्धारण वर्ष 1986-87 से 1988-89 तक के लिए अधिसूचित करती है।

[सं. 6968/का.सं. 197/51/87 प्रा.क. (नि. I)]

New Delhi, the 20th May, 1988

S.O. 2907.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Shradhdhanand Mahilashram, Bombay" for the purpose of the said sub-clause for the assessment years 1986-87 to 1988-89.

[No. 7968/F. No. 197/51/87-IT(A1)]

का.प्रा. 2908—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "दि एनी बीसेन्ट ट्रस्ट, मद्रास" को कर निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 7969/का.सं. 197/272/87 प्रा.क. (नि. I)]

S.O. 2908.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Annie Besant Trust, Madras" for the purpose of the sub-clause for the assessment year 1988-89.

[No. 7969/F. No. 197/272/87-IT(A1)]

का.प्रा. 2909—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "वेद रक्षण निधि, त्र्यम्, मद्रास" को कर निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 7970/का.सं. 197/43/88 प्रा.क. (नि. I)]

S.O. 2909.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Veda Rakshana Nidhi Trust, Madras" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 7970/F. No. 197/43/88-IT(A1)]

का.प्रा. 2910—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "गुजरात मुख्य मंत्री के राहत फंड" को कर निर्धारण वर्ष 1987-88 और 1988-89 के लिए अधिसूचित करती है।

[सं. 7971/का.सं. 197/115/87 प्रा.क. (नि. I)]

S.O. 2910.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Gujarat Chief Minister's Relief Fund" for the purpose of the said sub-clause for the assessment years 1987-88 and 1988-89.

[No. 7971/F. No. 197/115/87-IT(A1)]

का.प्रा. 2911—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "सेंट जोसेफ एजुकेशनल एंड मेडिकल रिलीफ सोसाइटी, बम्बई" को कर निर्धारण वर्ष 1985-86 से 1988-89 तक के लिए अधिसूचित करती है।

[सं. 7972/का.सं. 197/73/86 प्रा.क. (नि. I)]

S.O. 2911.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "St. Joseph's Education and Medical Relief Society, Bombay" for the purpose of the said sub-clause for the assessment years 1985-86 to 1988-89.

[No. 7972/F. No. 197/73/86-IT(A1)]

का.प्रा. 2912—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "नूट रिसर्च तथा श्रम्य विकासशील देशों हेतु अनुसंधान एवं आसूचना पद्धति, नई दिल्ली" को कर निर्धारण वर्ष 1984-85 से 1988-89 तक के लिए अधिसूचित करती है।

[सं. 7973/का.सं. 197/35/87 प्रा.क. (नि. I)]

S.O. 2912.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Research and Information System For the Non-Aligned and Other Developing Countries, New Delhi" for the purpose of the said sub-clause for the assessment years 1984-85 to 1988-89.

[No. 7973/F. No. 197/35/87-IT(A1)]

का.आ. 2913—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "दि अमलगामेटेड तमिलनाडु शेयरिंग प्राई दि पोस्ट वार सर्विसेज रिकन्स्ट्रक्शन एंड रिहैबिलिटेशन अफ एक्स सर्विसमें फंड्स" को कर निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 7974/का.सं. 197/63/88-आ.क. (नि. 1)]

S.O. 2913.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Amalgamated Tamil Nadu Share of the Post War Services Reconstruction and Rehabilitation of Ex-servicemen Funds" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 7974/F. No. 197/63/88-IT(A1)]

नई दिल्ली, 31 मई, 1988

का.आ. 2914—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "दि बम्बई पान्जरापोल बम्बई" को कर निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 7981/का.सं. 197/11/87-आ.क. (नि. 1)]

S.O. 2914.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Bombay Panjrapole, Bombay" for the purpose of the said sub-clause for the assessment years 1986-87 to 1988-89.

[No. 7981/F. No. 197/11/87-IT(A1)]

का.आ. 2915—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "संजीवनी त्रास्ट, बम्बई" को कर निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 7982/का.सं. 197/230/87-आ.क. (नि. 1)]

S.O. 2915.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sanjivani Trust, Bombay" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 7982/F. No. 197/230/87-IT(A1)]

का.आ. 2916—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "सर विठ्ठलदास दामोदर ठाकरे चैरिटेबल ट्रस्ट, बम्बई" को कर निर्धारण वर्ष 1987-88 और 1988-89 तक के लिए अधिसूचित करती है।

[सं. 7983/का.सं. 197/85/85-आ.क. (नि. 1)]

S.O. 2916.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sir Vithaldas Damodar Thackersey Charitable Trust, Bombay" for the purpose of the said sub-clause for the assessment years 1987-88 and 1988-89.

[No. 7983/F. No. 197/85/85-IT(A1)]

का.आ. 2917—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "नवाजीवन त्रास्ट, अहमदाबाद" को कर निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 7984/का.सं. 197/177/87-आ.क. (नि. 1)]

S.O. 2917.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Navajivan Trust, Ahmedabad" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 7984/F. No. 197/177/87-IT(A1)]

का.आ. 2918—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "महाराणा प्रताप स्मारक समिति, उदयपुर" को कर निर्धारण वर्ष 1985-86 से 1988-89 तक के लिए अधिसूचित करती है।

[सं. 7985/का.सं. 197/73/85-आ.क. (नि. 1)]

दलप सिंह, विशेष कार्य अधिकारी

S.O. 2918.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Maharana Pratap Smarak Samiti, Udaipur" for the purpose of the said sub-clause for the assessment years 1985-86 to 1988-89.

[No. 7985/F. No. 197/73/85-IT(A1)]

DALIP SINGH, Officer on Special Duty

नई दिल्ली, 2 जून, 1988

का.आ. 2919—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "दि ग्राम विकास ट्रस्ट, अहमदाबाद" को कर निर्धारण वर्ष 1984-85 से 1988-89 तक के लिए अधिसूचित करती है।

[सं. 7993/का.सं. 197/163/84-आ.क. (नि. 1)]

New Delhi, the 2nd June, 1988

S.O. 2919.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Gram Vikas Trust, Ahmedabad" for the purpose of the said sub-clause for the assessment years 1984-85 to 1988-89.

[No. 7993/F. No. 197/163/84-IT(A1)]

का.आ. 2920—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "स्वामीनारायण अक्षरपीठ, शाहिवाग, अहमदाबाद" को कर निर्धारण वर्ष 1987-88 और 1988-89 तक के लिए अधिसूचित करती है।

[सं. 7997/का.सं. 197/68/88-आ.क. (नि. 1)]

S.O. 2920.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Swaminarayan Aksharpieth, Shahibaug, Ahmedabad" for the purpose of the said sub-clause for the assessment years 1987-88 and 1988-89.

[No. 7997/F. No. 197/68/88-IT(A1)]

का.भा. 2921.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उप खंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उप खंड के प्रयोजनार्थ, "दि थियोसोफी कम्पनी (इंडिया) प्राइवेट लि., बम्बई" को कर निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 7998/का.सं. 197/224/87-आ.क. (नि.-1)]

S.O. 2921.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Theosophy Company (India) Private Ltd., Bombay" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 7998/F. No. 197/224/87-IT(A1)]

नई दिल्ली, 10 जून, 1988

का.भा. 2922.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उप खंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उप खंड के प्रयोजनार्थ, "इण्डिया इन्टरनेशनल सेंटर, नई दिल्ली" को कर निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 8002/का.सं. 197/51/88-आ.क. (नि.-1)]

New Delhi, the 10th June, 1988

S.O. 2922.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "India International Centre, New Delhi" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 8002/F. No. 197/51/88-IT(A1)]

का.भा. 2923.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उप खंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उप खंड के प्रयोजनार्थ, "श्री सत्य साई सेंटर ट्रस्ट, ब्रिन्दावन, बंगलूर" को कर निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 8003/का.सं. 197/93/88-आ.क. (नि.-1)]

S.O. 2923.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Satya Sai Central Trust, Brindavan, Bangalore" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 8003/F. No. 197/93/88-IT(A1)]

नई दिल्ली, 16 जून, 1988

का.भा. 2924.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उप खंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उप खंड के प्रयोजनार्थ, "कैथेड्रल रिलीफ सर्विस, कलकत्ता" को कर निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 8010/का.सं. 197/21/88-आ.क. (नि.-1)]

New Delhi, the 16th June, 1988

S.O. 2924.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Cathedral Relief Service, Calcutta" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 8010/F. No. 197/21/88-IT(A1)]

का.भा. 2925.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उप खंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उप खंड के प्रयोजनार्थ, "एग्री-हर्टिकल्चरल सोसाइटी, मद्रास" को कर निर्धारण वर्ष 1984-85 से 1988-89 तक के लिए अधिसूचित करती है।

[सं. 8011/का.सं. 197/43/87-आ.क. (नि.-1)]

S.O. 2925.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Agricultural Society, Madras" for the purpose of the said sub-clause for the assessment years 1984-85 to 1988-89.

[No. 8011/F. N. 197/43/87-IT(A1)]

का.भा. 2926.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उप खंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उप खंड के प्रयोजनार्थ, "संजय गांधी स्मृति ट्रस्ट, नई दिल्ली" को कर निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 8012/का.सं. 197/49/87-आ.क. (नि.-1)]

S.O. 2926.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sanjay Gandhi Memorial Trust, New Delhi" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 8012/F. No. 197/49/87-IT(A1)]

का.भा. 2927.—आयकर अधिनियम, 1963 (1961 का 43) की धारा 10 के खण्ड (23ग) के उप खंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उप खंड के प्रयोजनार्थ, "राज्य सड़क प्राधिकरण उपग्राम एगोसिएशन, नई दिल्ली" को कर निर्धारण वर्ष 1986-87 से 1988-89 तक के लिए अधिसूचित करती है।

[सं. 8013/का.सं. 197/105/85-आ.क. (नि.-1)]

S.O. 2927.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Association of State Road Transport Undertakings, New Delhi" for the purpose of the said sub-clause for the assessment years 1986-87 to 1988-89.

[No. 8013/F. No. 197/105/85-IT(A1)]

नई दिल्ली, 4 जुलाई, 1988

का.भा. 2928.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उप खंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उप खंड के प्रयोजनार्थ, "इंस्टीट्यूट ऑफ रुरल मैनेजमेंट, आनन्द गुजरात" को कर निर्धारण वर्ष 1986-87 से 1988-89 तक के लिए अधिसूचित करती है।

[सं. 8020/का.सं. 197/24/87-आ.क. (नि.-1)]

New Delhi, the 4th July, 1988

S.O. 2928.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Institute of Rural Management, Anand, Gujarat" for the purpose of the said sub-clause for the assessment years 1986-87 to 1988-89.

[No. 8020/F. No. 197/24/87-IT(A1)]

का. प्रा. 2939.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा, उक्त उप-खण्ड के प्रयोजनार्थ "दि इन्स्टीट्यूट आफ कम्पनी सेक्रेटरीज आफ इण्डिया" को कर-निर्धारण वर्ष 1988-89 तक के अन्तर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं. 8022/फा. सं. 197/243/87--आ. क. (नि.-1)]

S.O. 2929.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Institute of Company Secretaries of India" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 8022/F. No. 197/243/87-IT(A1)]

का. प्रा. 2930.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा, उक्त उप-खण्ड के प्रयोजनार्थ "भारतीय आदिमजाति सेवक संघ, नई दिल्ली" को कर-निर्धारण वर्ष 1987-88 और 1988-89 तक के अन्तर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं. 8023/फा. सं. 197/292/87--आ. क. (नि.-1)]

S.O. 2930.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Bharatiya Adimjati Sevak Sangh, New Delhi" for the purpose of the said sub-clause for the assessment years 1987-88 and 1988-89.

[No. 8023/F. No. 197/292/87-IT(A1)]

नई दिल्ली, 5 जुलाई, 1988

का. प्रा. 2931.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा, उक्त उप-खण्ड के प्रयोजनार्थ, "एमेनुअल फुल गोस्पेल मिशन ट्रस्ट, सेलम" को कर-निर्धारण वर्ष 1985-86 से 1988-89 तक के अन्तर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं. 8027/फा. सं. 197/102/85--आ. क. (नि.-1)]

New Delhi, the 5th July, 1988

S.O. 2931.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Emmanuel Full Gospel Mission Trust, Salem" for the purpose of the said sub-clause for the assessment years 1985-86 to 1988-89.

[No. 8027/F. No. 197/102/85-IT(A1)]

का. प्रा. 2932.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा, उक्त उप-खण्ड के प्रयोजनार्थ, "रामाकृष्ण विवेकानन्द मिशन और विवेकानन्द मठ, बैरकपुर, पश्चिम बंगाल" को कर-निर्धारण वर्ष 1986-87 से 1988-89 तक के अन्तर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं. 8029/फा. सं. 197/203/85--आ. क. (नि.-1)]

S.O. 2932.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Ramakrishna Vivekananda Mission and Vivekananda Math, Barrackpore, West Bengal" for the purpose of the said sub-clause for the assessment years 1986-87 to 1988-89.

[No. 8029/F. No. 197/203/85-IT(A1)]

नई दिल्ली, 27 जुलाई, 1988

का. प्रा. 2933.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा, उक्त उप-खण्ड के प्रयोजनार्थ, "राजा राम मोहन राय लाइब्रेरी फाउंडेशन, कलकत्ता" को कर-निर्धारण वर्ष 1988-89 के अन्तर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं. 8039/फा. सं. 197/234/87--आ. क. (नि.-1)]

New Delhi, the 27th July, 1988

S.O. 2933.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Raja Ram Mohan Roy Library Foundation, Calcutta" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 8039/F. No. 197/234/87-IT(A1)]

का. प्रा. 2934.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा, उक्त उप-खण्ड के प्रयोजनार्थ "इन्स्टीट्यूट फार मोटिवेटिंग सेल्फ एम्प्लॉयमेंट, कलकत्ता" को कर-निर्धारण वर्ष 1988-89 के लिए अधिसूचित करती है।

[सं. 8042/फा. सं. 197/110/87--आ. क. (नि.-1)]

S.O. 2934.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Institute for Motivating Self-Employment, Calcutta" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 8042/F. No. 197/110/87-IT(A1)]

का. प्रा. 2935.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा, उक्त उप-खण्ड के प्रयोजनार्थ, "सेक्टर फार पब्लिक सेक्टर स्टडीज, नई दिल्ली" को कर-निर्धारण वर्ष 1988-89 के अन्तर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं. 8043/फा. सं. 197/205/87--आ. क. (नि.-1)]

S.O. 2935.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Centre for Public Sector Studies, New Delhi" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 8043/F. No. 197/205/87-IT(A1)]

का. प्रा. 2936.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा, उक्त उप-खण्ड के प्रयोजनार्थ, "श्री कृष्ण गोपाल आर्क्यैडिक भवन (धर्मार्थ औपचारिक), केरल जिन्ना भवन" को कर-निर्धारण वर्ष 1986-87 से 1988-89 तक के लिए अधिसूचित करती है।

[सं. 8045/फा. सं. 197/49/86-आ. क. (नि.-1)]

S.O. 2936.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Krishna Gopal Ayurvedic Bhavan (Dharmarth Ausdalaya), Kalera, Distt. Ajmer" for the purpose of the said sub-clause for the assessment years 1986-87 to 1988-89.

[No. 8045/F. No. 197/49/86-IT(A1)]

का. प्रा. 2937.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "साउथ सेन्ट्रल जोन कल्चरल सेन्टर, नागपुर" को कर-निर्धारण वर्ष 1987-88 और 1988-89 के अन्तर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं. 8046/का. सं. 197/65/87—आ. क. (नि.-1)]

S.O. 2937.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "South Central Zone Cultural Centre, Nagpur" for the purpose of the said sub-clause for the assessment years 1987-88 and 1988-89.

[No. 8046/F. No. 197/65/87-IT(A1)]

का. प्रा. 2938.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "ब्यूरो आफ इण्डियन स्टैंडार्ड्स, नई दिल्ली" को कर-निर्धारण वर्ष 1988-89 के अन्तर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं. 8047/का. सं. 197/108/88—आ. क. (नि.-1)]

S.O. 2938.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Bureau of Indian Standards, New Delhi" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 8047/F. No. 197/108/88-IT(A1)]

का. प्रा. 2939.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "बिहार स्कूल आफ योगा" को कर-निर्धारण वर्ष 1987-88 से 1988-89 तक के लिए अधिसूचित करती है।

[सं. 8048/का. सं. 197/216/85—आ. क. (नि.-1)]

S.O. 2939.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Bihar School of Yoga" for the purpose of the said sub-clause for the assessment years 1987-88 and 1988-89.

[No. 8048/F. No. 197/216/85-IT(A1)]

का. प्रा. 2940.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "माउथ जोन कल्चरल सेन्टर, नागपुर" को कर-निर्धारण वर्ष 1987-88 और 1988-89 तक के अन्तर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं. 8055/का. सं. 197/120/88—आ. क. (नि.-1)]

S.O. 2940.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "South Zone Cultural Centre, Thanjavur" for the purpose of the said sub-clause for the assessment years 1987-88 and 1988-89.

[No. 8055/F. No. 197/120/88-IT(A1)]

का. प्रा. 2941.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "दि कैथेड्रल चर्च ऑफ दि रेडम्पशन, नई दिल्ली" को कर-निर्धारण वर्ष 1988-89 के अन्तर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं. 8040/का. सं. 197/222/87—आ. क. (नि.-1)]

S.O. 2941.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Cathedral Church of the Redemption, New Delhi" for the purpose of the said sub-clause for the assessment year 1988-89.

[No. 8040 F. No. 197/222/87-IT(A1)]

नई दिल्ली, 8 अगस्त, 1988

का. प्रा. 2942.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उपखण्ड के प्रयोजनार्थ, "तन्त्र विद्या विधान अल्वाय, केरल" को कर-निर्धारण वर्ष 1985-86 से 1988-89 तक के लिए अधिसूचित करती है।

[सं. 8063/का. सं. 197/202/87—आ. क. (नि.-1)]

आनन्द किशोर, अवर सचिव

New Delhi, the 8th August, 1988

S.O. 2942.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Thanthra Vidya Pēdham, Alwaye, Kerala" for the purpose of the said sub-clause for the assessment years 1985-86 to 1988-89.

[No. 8063/F. No. 197/202/87-IT(A1)]

ANAND KISHORE, Under Secy.

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 25 अगस्त, 1988

(आयकर)

का. प्रा. 2943.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 120 की उपधारा (1) तथा उप धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और पूर्ववर्ती अधिसूचना सं. 7818 (का. सं. 197/5/88 आ. क. (नि.-1) में आंशिक संशोधन करते हुए केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा निर्देश देता है कि वी गई अनुसूची के स्तम्भ (1) में विनिर्दिष्ट आयकर आयुक्त स्तम्भ (2) में विनिर्दिष्ट स्थानों के मुख्यालयों तथा स्तम्भ (3) में उल्लिखित मुख्य आयकर आयुक्तों के नियंत्रण के अधीन, अनुसूची के स्तम्भ (4) में विनिर्दिष्ट आयकर परिणामों वाली पर जिलों में अतिरिक्त ऐसे

NO. 58/88(NT)-CUSTOMS

New Delhi, the 12th September, 1988

S.O. 2945.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Government of Excise and Customs hereby declares Kuppanaikkenpalayam in Pannimadai Village in District Coimbatore in the State of Tamil Nadu to be a warehousing station for the purposes of setting up of hundred per cent export-oriented undertakings.

[F. No. 474/18/88-Cus. III]

MISS MICHAEL, Under Secy.

आर्थिक कार्य विभाग
(बैंकिंग प्रभाग)

नई दिल्ली, 9 अगस्त, 1988

का. आ. 2946—आदेशित ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा 11 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री एस. पी. राय को संयुक्त क्षेत्रीय ग्रामीण बैंक, आज़मगढ़ का अध्यक्ष नियुक्त करती है तथा 22-7-88 से प्रारम्भ हुकुर 31-7-91 की समाप्त होने वाली अवधि की उक्त अवधि के रूप में निर्धारित करती है जिसके दौरान श्री राय अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एक 2/1/88 आर आर बी]

बी. बी. माथुर, अधीक्षक सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 9th August, 1988

S.O. 2946.—In exercise of the powers conferred by sub-section (1) of Section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri S. P. Roy as the Chairman of the Samyut Kshetriya Gramin Bank, Azamgarh and specifies the period commencing on the 22-7-88 and ending with the 31-7-91 as the period for which Shri Roy shall hold office as Chairman.

[No. F. 2/1/88-RRB]

V. B. MATHUR, Under Secy.

नई दिल्ली 12 सितम्बर, 1988

का. आ. 2947—बैंककारी विनियमन अधिनियम 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारतीय रिज़र्व बैंक की सिफारिश पर घोषणा करती है कि उक्त अधिनियम की धारा (II) की उपधारा (I) उपबन्ध बंडीगढ़ राज्य सहकारी बैंक लि., बंडीगढ़ पर इस अधिनियम के राजपत्र में प्रकाशित होने की तारीख से 24 मई, 1989 तक लागू नहीं होंगे।

[संख्या एक 9/2/88-ए. सी.]

प्रवीण कुमार तेजदार, अधीक्षक सचिव

S.O. 2947.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendations of the Reserve Bank of India declares that the provisions of sub-section (1) of Section 11 of the said Act shall not apply to the Chandigarh State Co-operative Bank Ltd., Chandigarh from the date of publication of this notification in the official Gazette to 24th May 1989.

[F. No. 8(2)/88-A.G.]

P. K. TEJYAN, Under Secy.

संयुक्त मुख्य निर्यातक आयात-निर्यात का कार्यालय,

(केन्द्रीय लॉजिस्टिक्स श्रेण)

नई दिल्ली, 15 जुलाई, 1988

निर्यात आदेश

का. आ. 2948—सेसर्स रजिस्ट्रार लीबोरेटरीज लि० ०-नेहरू जेम्स नई दिल्ली को, कच्चा माल आपूर्ति एसीसी बैंगलोर में निर्यात (०-ए. पी. ए.) हस्ताक्षर के आयात के लिए 66,30,300-रुपए का अधिमा लाईसेंस से पी/एन/3199234 दिनांक 19-11-87 और सी ई ई सी बुक नं. 002519 (आयात) दिनांक 19-11-87 प्रदान किया गया था।

3. फर्म ने सूचित किया है कि लाईसेंस की सीमा शुल्क प्रयोजन प्रति तथा सी ई ई सी बुक नं. 002519 (आयात) सीमा शुल्क दिवसी के पास पंजीकृत होने के लिए नहीं आयात किया गया है।

3. फर्म ने प्रतियोगिता पुस्तक 1988-89 के पैरा 89 के अन्तर्गत तथा अपेक्षित कार्य पर विचार के संदर्भ में एक सचय पर दर्ज किया है। वे संतुष्ट हैं कि लाईसेंस की सीमा शुल्क प्रयोजन प्रति तथा सी ई ई सी बुक नं. 002519 (आयात) दिनांक 19-11-87 प्रदान किया गया था।

4. आज तक व्यापारिक विभाग (निर्यात) आदेश, 1955 दिनांक 7-12-55 के खण्ड 9 (बी) के अन्तर्गत मुझे प्रदत्त अधिकारों का प्रयोग करते हुए मैं एतद्वारा उपरोक्त लाईसेंस की सीमा शुल्क प्रयोजन प्रति तथा सी ई ई सी बुक नं. 002519 (आयात) दिनांक 19-11-87 प्रदान किया गया था।

5. आदेशक के काम में प्रतिक्रिया पुस्तक 1988-89 के पैरा 89 के अनुसार लाईसेंस की सीमा शुल्क प्रयोजन प्रति तथा सी ई ई सी बुक की अनुमति जारी करने पर विचार किया जायेगा बशर्ते कि वह सर्वोच्च न्यायाधीश की संतुष्टि के लिए निर्धारित दस्तावेज प्रस्तुत करें।

का. सं. एडवांस लाइसेंस सी ई ई एन : 128 ए एम-88/ए एन एम-1 सी एन 7/1973]

एन सी प्रोडिक्ट्स, उा मुख्य निर्यातक

आयात निर्यात करने संयुक्त मुख्य निर्यातक आयात निर्यात

OFFICE OF THE JT. CHIEF CONTROLLER OF
IMPORTS & EXPORTS

Central Licensing Area)

New Delhi, the 15th July, 1988

CANCELLATION ORDER

S.O. 2948.—M/s. Ranbaxy Laboratories Ltd., 6-Nehru Place, New Delhi was granted advance licence No. P/L/3199224 dated 19-11-87 for Rs. 66,30,300 and DEEC Book No. 002519 (Import) (Delhi) dated 19-11-87 for the import of raw material i.e. Amino Pencillamic Acid (6-APA) etc.

2. The firm have reported that Customs Purpose Copy of licence and DEEC Book No. 00519 (Import) have been lost/misplaced duly registered with Customs, Delhi.

3. The firm have filed an affidavit in support of above statement as required under para 89 of Hand Book of Import Export Procedure. I am satisfied that Customs Copy of licence and DEEC Book have been lost/misplaced in original.

4. In exercise of the power conferred on me under Section 9(d) of the Import (Control) Order, 1955 dated 7-12-55 as amended up-to-date, I hereby order for cancellation of the said Customs Purpose Copy of licence and DEEC Book.

5. The applicant's case will be considered for issue of duplicate copy of Customs Purpose Copy of Licence and DEEC Book in accordance with para 89 of Hand Book of Import & Export Procedure and subject to production of prescribed documents to the satisfaction of the undersigned.

[F. No. Adv/Lic/UDS/128/AM-88/ALS/CLA/973]

N. D. AGNIHOTRI, Dy. Chief
Controller of Imports & Exports

for Jt. Chief Controller of Imports & Exports

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 1 सितम्बर, 1988

का.प्र. 2949:—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में लन्वा जी.जी.एम-III से बलोव जी.पी.एन/सी.डी.एन तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और बत: यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एड्वांस्ड अनुसूची में वर्णित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अंजित करने का आदेश आशय एतद्वारा घोषित किया है।

बतान कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नाचे पाइप लाइन बिछाने के लिए आक्षेप, मसर प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, महरपुरा रोड, बलोव-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकता है।

और ऐसा आक्षेप करनेवाला हर व्यक्ति निर्तिवद्धत: यह भी कथन करेगा कि क्या यह चाहता है कि, उसको चुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माफ़त।

अनुसूची

लन्वा जी.जी.एम. III से बलोव जी.पी.एन./सी.डी.एन तक पाइपलाइन बिछाने के लिए।

राज्य : गुजरात

दिना : मेहमता

तारुका : जाधवमा

गोब	सर्वे नं	हेक्टेयर	आर.	सेन्टीडर
महुषला	89	0	26	00
	80/पी	0	03	80
	90/पी	0	16	90
	97	0	26	00
	91	0	04	60
	92	0	22	00
	94/2	0	18	90
	96	0	14	00
	99	0	22	80
	कार्ट ट्रैक	0	02	00
	101	0	01	00
	100/2	0	14	90
	100/1	0	06	30
	कार्ट ट्रैक	0	02	00
	153	0	07	30
	155/1	0	00	75
	158/2	0	08	80
	158/1	0	08	20
	151	0	42	00
	150	0	45	10
	174/पी	0	06	00
	174/पी	0	08	90
	कार्ट ट्रैक	0	02	00
	183/पी	0	09	90
	183/पी	0	16	90
	188	0	23	90
	185	0	18	10

[सं. भो-11027/150/88/भो एन जी डी III]

MINISTRY OF PETROLEUM AND
NATURAL GAS

New Delhi, the 1st September, 1988

S.O. 2949.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Lanva GGS III to Balol GGS/CTF in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the Pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Lanva GGS III to Balol GGS-cum-CTF

State : Gujarat District : Mehsana Taluka : Chanasma

Village	Survey No.	Hectare	Are	Centiare
Saduthala	89	0	26	00
	90/P	0	03	80
	90/P	0	16	90
	97	0	26	00
	91	0	04	60
	92	0	23	00
	94/2	0	18	90
	96	0	14	00
	99	0	22	80
	Cart track	0	02	00
	101	0	01	00
	100/2	0	14	90
	100/1	0	06	30
	Cart track	0	02	00
	153	0	07	30
	155/1	0	00	75
	156/2	0	09	80
	156/1	0	09	20
	151	0	42	00
	150	0	45	10
	174/P	0	06	00
	174/P	0	08	90
	Cart track	0	02	00
	183/P	0	09	90
	183/P	0	16	90
	188	0	23	90
	185	0	18	10

[No. O-11027/150/88-ONGD, III]

का.भा. 2950.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में लनवा जी.जी.एस. III से बलोल जी.जी.एस./सी.टी.एम. तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस प्रयोग द्वारा बिछाई जाती चाहिए।

और यतः यह प्रतीत होता है कि ऐसी सड़कों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

घतः मंत्र पेट्रोलियम और खनिज पदार्थों (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) को धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार ने उसमें उपयोग के अधिकार अर्जित करने का अपना आग्रह एतद्वारा घोषित किया है।

प्रार्थना कि उक्त भूमि में हितवश कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आशेष, सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस प्रयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडोदा-9 को इस अधिसूचना को तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या यह चाहता है कि उसको सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

लनवा जी.जी.एस. III से बलोल जी.जी.एस. कम सी.टी.एम. तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात जिला : म.ता.तुका : महुसाणा

गांव	सर्वे नं.	हेक्टेयर	घार.	सेन्टीयर
बलोल	724	0	03	50
	725	0	35	60
	726	0	02	62
	747/2	0	09	00
	746	0	09	50
	कार्ट ट्रैक	0	01	00
	742/2	0	09	80
	742/3	0	08	60
	748	0	00	42
	754	0	17	76
	756	0	17	60
	कार्ट ट्रैक	0	03	50
	305	0	06	50
	306	8	07	90
	307	0	13	80
	308	0	09	20
	300	6	13	00
	310	0	01	80
	311	0	04	70
	299	0	04	00
	812	0	15	00
	764	0	05	00
	811	0	01	80

[नं. ओ. 11027/144/88/ओ एन जी सी-III]

S.O. 2950.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Lanva Gas III to Balol GGS/CTF in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra (390009)

And ever person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

अनुसूची

Pipeline from Lanva GGS III To Balol GGS-cum-CIF

State : Gujarat District & Taluka : Mehsana

लनवा जी. जी. एस. III से बलोल जी. गति. एस. एच. सी. टी. ऐफ. तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात जिला व तालुका : मेहसाणा

Village	Survey No.	Hectare	Arc Centiare	
Balol	724	0	03	50
	725	0	35	60
	726	0	02	62
	747/2	0	03	00
	746	0	09	50
	Cart track	0	01	00
	742/2	0	09	80
	742/3	0	08	60
	748	0	00	42
	754	0	17	76
	756	0	17	60
	Cart track	0	03	50
	305	0	06	50
	306	0	07	90
	307	0	13	80
	308	0	09	20
	300	0	13	00
	310	0	01	80
	311	0	04	70
	299	0	04	00
	812	0	15	00
	764	0	05	00
	811	0	01	80

[No. O-11027/144/88-ONGD-III]

का. मा. 2951.— यः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित से यह आवश्यक है कि गुजरात राज्य में लनवा जी. जी. एस-III से बलोल जी. जी. एस./सी. टी. ऐफ. तक पेट्रोलियम के परिवहन के लिए पाइप लाइन, तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यह: यह प्रतीत होता है कि ऐसी लाइनों की बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1982 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आलव एतद्वारा घोषित किया है।

अतः कि उस भूमि में हितवश कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन, बिछाने के लिए आशेष, सभ्य प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रमाण मकरपुरा रोड, बहोला-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेंगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या यह वास्तव है कि उसकी पुनर्वाही व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माफ़त।

गांव	सर्वे नं.	हेक्टेयर	आर.	सेण्टीयर	
1	2	3	4	5	6
मगुता	243	0	18	60	
	249	0	00	35	
	काटे ट्रैक	0	03	50	
	254	0	10	00	
	258	0	20	50	
	काटे ट्रैक	0	01	80	
	260	0	19	00	
	263	0	15	60	
	234		08	80	
	231	0	00	52	
	233	0	00	75	
	232	0	14	80	
	261	0	05	50	
	229	0	23	70	
	227	0	02	70	
	228	0	07	60	
	काटे ट्रैक	0	02	60	
	200	0	23	60	
	काटे ट्रैक	0	01	60	
	145	0	07	60	
	146	0	06	25	
	काटे ट्रैक	0	02	75	
	1501	0	04	80	
	150/2	0	07	00	
	151	0	12	50	
	153	0	01	35	
	152	0	04	00	
	154	0	15	80	
	107	0	12	80	
	105	0	10	00	
	96/1	0	14	00	
	96/2	0	12	00	
	97	0	01	60	
	98	0	16	80	
	59	0	07	60	
	59	0	15	43	
	53/1	0	08	10	
	55	0	01	30	
	54	0	14	40	

[सं. ओ. 11027/145/88-ओ. एन. जी. सी. III]

S.O. 2951.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Lanva GGS III to Balol GGS/CTF in Gujarat State pipeline should be paid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the said and to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from Lanva GGS III To Balol GGS/CTF
State : Gujarat District & Taluka : Mehsana

Village	Survey No.	Hectare	Acre	Centiare
1	2	3	4	5
Maguna	253	0	18	60
	249	0	00	55
	Cart track	0	03	50
	254	0	10	00
	258	0	20	50
	Cart track	0	01	80
	260	0	19	00
	263	0	15	60
	234	0	08	80
	231	0	00	52
	233	0	00	75
	232	0	14	60
	261	0	05	50
	229	0	23	70
	227	0	02	70
	228	0	07	80
	Cart track	0	02	60
	200	0	23	60
	Cart track	0	01	60
	145	0	07	60
	146/1	0	06	25
	Cart track	0	02	70
	150/1	0	04	80
	150/2	0	07	00
	151	0	12	50
	153	0	01	35
	152	0	04	00
	154	0	15	80
	107	0	12	80
	105	0	10	00
	96/1	0	14	00
	96/2	0	12	00
	97	0	01	60
	98	0	16	80
	59	0	07	60
	58	0	15	45
	53/1	0	08	10
	55	0	01	30
	54	0	14	40

[No. O-11027/145/88-ONGD-III]

का.भा. 2952.—यह: केन्द्रीय सरकार की यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में लनवा जी. पी. एस-III से लनवा जी. पी. एस. III तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस प्रयोग द्वारा बिछाई जानी चाहिए ;

और यह: यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपबिध अनुसूची में कथित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ;

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम-1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है ;

बताते कि उक्त भूमि में हितवन् कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप, तक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस प्रयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड बडोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ;

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित: यह भी कहन करेगा कि क्या यह चाहता है कि उक्तकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत

अनुसूची

लनवा जी. पी. एस. I से लनवा जी. पी. एस. III तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला : मेहसाणा	तालुका : चणसना			
गांव	सर्वे नं.	हेक्टेयर	भार	सेन्टीयर	
1	2	3	4	5	
लनवा	321/6	0	20	60	
	321/5	0	10	00	
	321/4	0	20	00	
	321/3	0	20	30	
	481	0	07	25	
	485	0	29	25	
	449	0	05	00	
	311/2		21	80	
	309	0	13	90	
	308	0	09	40	
	307	0	07	70	
	कार्ट ट्रैक	0	03	50	
	251/1	0	11	90	
	256	0	15	00	
	255	0	10	00	
	254	0	10	20	
	253	0	08	90	
	238	0	14	00	
	239	0	00	35	
	240	0	08	50	
	241	0	08	90	
	242/1	0	14	00	
	कार्ट ट्रैक	0	01	60	

1	2	3	4	5
	16/1	0	03	00
	15/1	0	07	50
	15/2	0	07	50
	14	0	01	00
	18/1	0	15	30
	32	0	14	00
	25	0	02	70
	26/1	0	07	04
	26/2		04	00
	27	0	09	40
	45/1	0	00	25
	44	0	15	50
	51/P	0	05	00
	52	0	10	3
	827	0	07	0
	काटें ट्रेक	0	09	40
	594	0	07	00
	593	0	20	00
	625	0	40	00
	काटें ट्रेक	0	03	00

[सं O-11027/147/88-ओ. एन. जी. सी-III]

S.O. 2952.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Lanva GGS I to Lanva GGS III in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within the 21 days from the date of this notification, object to the laying of the pipeline under the said land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpur Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Lanva GGS I to Lanva GGS-III

State : Gujarat District : Mehsana Taluka : Chanasma

Village	Survey No.	Hectare	Acre	Centiare
1	2	3	4	5
Lanva	321/6	0	20	60
	321/5	0	10	00
	321/4	0	20	00
	321/3	0	10	30
	481	0	07	25
	485	0	29	25
	449	0	05	00
	311/2	0	21	80
	309	0	13	90

1	2	3	4	5
	308	0	09	40
	307	0	07	70
	Cart track	0	03	50
	257/1	0	11	90
	256	0	15	00
	255	0	10	00
	254	0	10	20
	253	0	08	90
	238	0	14	00
	239	0	00	35
	240	0	08	50
	241	0	08	90
	242/1	0	14	90
	Cart track	0	01	60
	16/1	0	03	00
	15/1	0	07	50
	15/2	0	07	50
	14	0	01	00
	18/1	0	15	30
	32	0	14	90
	25	0	02	70
	26/1	0	07	40
	26/2	0	04	00
	27	0	09	40
	45/1	0	00	25
	44	0	15	50
	51/P	0	05	00
	52	0	10	30
	827	0	07	00
	Cart track	0	09	49
	594	0	07	00
	593	0	20	00
	625	0	40	00
	Cart track	0	03	00

[No. O-11027/147/88-ONGD-III]

का.सा. 2953.—भारत केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में लानवा जी. जी.एस.-I से लानवा जी. जी.एस.-III तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी स्थानों को बिछाने के प्रयोक्ता के लिये एतदुपायक अधिनियम में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ;

अतः अब पेट्रोलियम और अग्निज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रयत्न शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आग्रह एतद्वारा घोषित किया है।

अतः कि उक्त भूमि में बिछाई कोई व्यक्ति, उक्त भूमि में नीचे पाइप लाइन बिछाने के लिए अधिकार, सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदा-9 की इस अधिसूचना के जारी होने से 21 दिनों के भीतर कर लेगा ;

और ऐसा आक्षेप करनेवाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माध्यम से ;

अनुसूची

लन्वा जी.जी.एस.-I से लन्वा जी.जी.एस.-III तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात जिला : मेहसाणा तालुका : -- चानसमा

गांव	सर्वे नं.	हेक्टेयर	आर.	सेंटीयर
दलीवरा	कार्ट ट्रैक	0	01	60
	674/पी	0	06	00
	668	0	11	80
	669	0	00	20
	कार्ट ट्रैक	0	00	80
	670	0	18	60
	666/पी	0	00	15
	666/1	0	94	62
	665	0	08	00
	664	0	09	80

[नं. प्रो-11027/148/88/प्रो एन जी डी-III]

S.O. 2953.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Lanva GGS I to Lanva GGS III in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section 2 of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within the 21 days from the date of this notification, object to the laying of the pipeline under the said land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Lanva GGS I to Lanva GGS-III.
State : Gujarat District : Mehsana Taluka : Chanasma

Village	Survey No.	Hectare	Are	Centiare
Danodara	Cart track	0	01	60
	674/P	0	06	00
	668	0	11	80
	669	0	00	20
	Cart track	0	00	80
	670	0	18	60
	666/P	0	00	15
	666/1	0	18	62
	665	0	08	00
	664	0	09	80

[N.O.-11027/149/88-ONGD-III]

का.प्र. 2954.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में लन्वा जी.जी.एस.

-1 से लन्वा जी.जी.एस.-III तक पेट्रोलियम के परिवहन के लिये पाइप-लाइन तेल तथा प्राकृतिक गैस प्रायोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसा शब्दों की बिछाने के प्रयोजन के लिये एल्लुवायड अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अथ पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदान शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एल्लुवायड घोषित किया है।

बशर्ते कि उक्त भूमि में हितवन्त कोई व्यक्ति, उस भूमि के लिये पाइप लाइन बिछाने के लिए आक्षेप, सक्षम प्राधिकारी, तेल तथा प्राकृतिक प्रायोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदा-9 की इस अधिसूचना के तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी निधि व्यवसायी के मार्फत।

अनुसूची

लन्वा जी.जी.एस.-1 से लन्वा जी.जी.एस.-3 तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात जिला : मेहसाणा तालुका : चानसमा

गांव	सर्वे नं.	हेक्टेयर	आर.	सेंटीयर
कानासमा	200	0	16	30
	208	0	03	50
	1/2	0	14	60
	कार्ट ट्रैक	0	04	00
	7	0	03	84
	6	0	22	03
	210	0	00	35
	3	0	30	60

[नं. प्रो-11027/149/88-प्रो एन जी डी-3]

S.O. 2954.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Lanva GGS I to Lanva GGS III in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the said land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara. (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Lanva GGS I to Lanva GGS.III]

State : Gujarat District : Mehsana Taluka : Chanasma

Village	Survey No.	Hectare	Are	Centiare
Kakasana	209	0	16	30
	208	0	03	50
	.1/2	0	14	60
	Cart track	0	04	00
	7	0	03	84
	6	0	22	03
	210	0	00	35
	3	0	30	60

[No. O-11)27/149/88-ONGD.III]

का. प्रा. 2955.---यतः केन्द्रीय सरकार की यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में चांदखेडा से रिलायन्स इन्डस्ट्रीज तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा (1) प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आग्रह एतद्वारा घोषित किया है।

वर्णन कि उक्त भूमि में जिसका कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप, सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ीदा-8 की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी बयान करेगा कि क्या यह चाहता है कि उसकी, समवाही व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माफ़त।

अनुसूची

चांदखेडा से रिलायन्स इन्डस्ट्रीज तक पाइप लाइन बिछाने के लिए।

राज्य : -- गुजरात जिला व तालुका : गांधी नगर

गांव	ब्लॉक नं.	हेक्टेयर	आर.	सेंटियर
1	2	3	4	5
अंबापुर	413	0	00	63
	416	0	36	80
	418	0	02	10
	413	0	12	60
	419	0	19	10
	412	0	02	50
	410	0	12	06
	कार्ट ट्रैक	0	00	24
	384	0	52	00
	352	0	22	08
	353	0	11	60
	350	0	01	80
	347	0	20	20
	348	0	08	60
	338	0	03	14

1	2	3	4	5
	337	0	13	86
	340	0	08	40
	335	0	01	10
	334	0	05	00
	333	0	37	00

[सं. ओ-11027/151/88-ओ एन जी डी-3]

S.O. 2955.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Chandkheda to Reliance Ind. in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section 1 of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within the 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpur Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Chandkheda to Reliance Ind.

State : Gujarat District & Taluka : Gandhinagar

Village	Block No.	Hectare	Are	Centiare
Ambapur	415	0	00	63
	416	0	6	80
	418	0	02	10
	413	0	12	00
	419	0	19	10
	412	0	02	50
	410	0	12	06
	Cart track	0	00	24
	354	0	52	00
	352	0	22	08
	353	0	11	60
	350	0	01	80
	347	0	20	20
	348	0	08	60
	338	0	03	14
	337	0	13	86
	340	0	08	40
	335	0	01	10
	334	0	05	00
	333	0	17	00

[No. O-11027/151/88-ONGD.III]

नई दिल्ली, 8 अक्टूबर 1988

का. प्रा. 2956.---यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम

और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ.सं. 697 तारीख 5-2-88 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार की पाइपलाइनों की बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अन्तर्गत मंत्रालय का रिपोर्ट दे दी है;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है;

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है;

और आगे उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तब और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

के.एन.कं. फेज-II की पाइप लाइन बिछाने के लिए।

राज्य : -- गुजरात जिला : -- खेड़ा तालुका : -- आनन्द

गाँव	सर्वे नं.	हेक्टेयर	आर.	सेंटीयर
वासंधीलीया	31/2	0	09	00
	31/1	0	10	20
	33	0	08	50
	42	0	25	56
	43	0	05	40
	40	0	06	40
	39/4	0	00	49
	39/3	0	07	00
	39/2	0	05	40
	39/1/2	0	02	40
	39/1/1	0	02	40
	38/2	0	04	95
	38/1	0	00	26
	53/3/2	0	00	14
	53/3/1	0	01	00
	53/2	0	03	30
	53/1	0	13	00
	54	0	15	50

[सं. आं. - 11027/48/88-औ. एत. जी. डी.-3]

New Delhi, the 8th September, 1988

S.O. 2956—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 677 dated 5-2-88 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention acquire to the right of user in lands specified in the schedule appended to this notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from KNK Phase-II

State : Gujarat	District : Kheda	Taluka : Anand		
Village	Survey No.	Hectare	Are	Centiare
Vanskhiliya	31/2	0	09	00
	31/1	0	10	20
	33	0	08	50
	42	0	25	56
	43	0	05	40
	40	0	06	40
	39/4	0	00	49
	39/3	0	07	00
	39/2	0	05	40
	39/1/2	0	02	40
	39/1/1	0	02	40
	38/2	0	04	95
	38/1	0	00	26
	53/3/2	0	00	14
	53/3/1	0	01	00
	53/2	0	03	30
	53/1	0	13	00
	54	0	15	50

[No. O-11027/48/88-ONGD.III]

का.आ.2957.--यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 80) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ.सं. 623 ता. 29-1-88 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार की पाइपलाइनों की बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजह से और प्राकृतिक गैस आवाग में, सभी बाधाओं से मुक्त रूप में, वापस के पकानन की इस तारीख को निहित होगा।

अनुसूची

क.एन.के. फा II की पाइप लाइन विस्तार के लिए।

राज्य : -- गुजरात

जिला : -- खेड़ा तालुका : -- आनन्द

गांव	सर्वे नं.	हेक्टेयर	आर.	सेंटियर--
1	2	3	4	5
गाना	53	0	09	47
	423	0	08	60
	422/1 से 10	0	12	69
	425/1+2	0	20	50
	429/1+2	0	18	38
	430/3	0	02	63
	412/1+2	0	00	25
	411	0	19	54
	408	0	11	00
	409/1+2	0	06	30
	402/1	0	02	61
	403/2	0	15	49
	403/2	0	08	60
	403/1	0	07	29
	381/2 बी	0	01	00
	381/2ए	0	03	60
	381/1	0	04	80
	354/1	0	06	80
	354/2	0	00	80
	353/1	0	08	80
	352	0	16	00
	338/1	0	16	40
	338/2	0	04	92
	339/1	0	04	17
	315/3	0	01	41
	344/2	0	04	17
	314/1	0	05	40
	342	0	11	80
	345/2 }	0	04	48
	343/1 }			
	320	0	15	60
	319	0	01	10
	318	0	02	24

[नं. ओ.-11027/17/88-ओ.एन.जी.डी-3]

S.O. 2957.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 523 dated 29-1-88 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline for KNK Phase-II

State : Gujarat	District : Kheda	Taluka : Anand		
Village	Survey No.	Hectare	Are	Centiare
1	2	3	4	5
Gana	53	0	09	47
	423	0	08	60
	422/1/to 10	0	12	69
	425/1 + 2	0	20	50
	429/1 + 2	0	18	38
	430/3	0	02	63
	412/1 + 2	0	00	25
	411	0	19	54
	408	0	11	00
	409/1 + 2	0	06	30
	402/1	0	02	61
	402/2	0	15	49
	403/2	0	08	60
	403/1	0	07	29
	381/2B	0	01	00
	381/2A	0	03	60
	381/1	0	04	80
	354/1	0	06	80
	354/2	0	00	80
	353/1	0	08	80
	352	0	16	00
	338/1	0	16	40
	338/2	0	04	92
	339/1	0	04	17
	345/3	0	01	41
	344/2	0	04	17
	344/1	0	05	40
	342	0	11	80
	343/2	0	04	48
	343/1			
	320	0	15	60
	319	0	01	10
	318	0	02	24

[No. O-11027/17/88/ONGD-III]

का.सा. 2958--यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.सा.गं. 525 तारीख 29-1-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संश्लेष अनुसूची

में विनिर्दिष्ट भूमियों में उपयोग के अधिकार का पाश्चात्यादेशों की विधानों के लिए अर्जित करने का अपना अधिकार धारित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और यतः यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से सम्बन्धित अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा धारित करती है कि इस अधिसूचना में सम्बन्धित अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाश्चात्यादेशों की विधानों के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और अतः उस धारा की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बराबर तेल और प्राकृतिक गैस आयोग में, गैसी बाधाओं में मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

के.एस.के. फेस II की पाश्चात्यादेशों की विधानों के लिए।

राज्य : गुजरात	जिला : अहमदाबाद	तालुका : दसक्रोई		
गांव	ब्लॉक नं.	हेक्टेयर	आर.	सेंटियर
1	2	3	4	5
वणजरा	19	0	03	15
	18	0	07	65
	24	0	05	90
	16	0	06	10
	15	0	10	70
	14	0	02	20
	13	0	10	00
	144	0	14	30
	123	0	10	23
	133	0	00	17
	124	0	05	20
	121	0	22	40
	111	0	09	90
	112	0	11	70
	110	0	01	90
	176	0	13	20
	180	0	08	40
	183	0	07	00
	181	0	03	40
	189	0	06	95
	187	0	04	05
	188	0	13	10
	203	0	02	10
	136	0	00	75
	135	0	12	60
	137	0	03	80
	134	0	05	60
	143	0	00	80

S.O. 2958.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 525 dated 29-1-88 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

PIPELINE FOR K.N.K. PHASE II

State : Gujarat District : Ahmedabad Taluka : Dascroi

Village	Block No.	Hectare	Are	Centiare
Vanzar	19	0	03	15
	18	0	07	65
	25	0	05	90
	16	0	06	10
	25	0	10	70
	14	0	02	20
	13	0	10	00
	144	0	14	30
	123	0	10	23
	133	0	00	17
	124	0	05	20
	121	0	22	40
	133	0	00	17
	124	0	05	20
	121	0	22	40
	111	0	09	90
	112	0	11	70
	110	0	01	90
	176	0	13	20
	180	0	08	40
	183	0	07	00
	181	0	03	40
	189	0	06	95
	187	0	04	05
	188	0	13	10
	203	0	02	10
	136	0	00	75
	135	0	12	60
	137	0	03	80
	134	0	05	60
	143	0	00	80

का. आ. 2959.—यतः पेट्रोलियम और खनिज पदार्थों पर भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय का अधिसूचना का.आ.गं. 527 तारीख 29-1-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाश्चात्तातों को विछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाश्चात्तात विछाने के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तब और प्राकृतिक गैस श्रावण में, सर्वा बाधाओं से मुक्त रूप में, शोषण के प्रकाशन की रण तारीख को निहित होगा।

अनुसूची

के.एन.के. फेम II की पाश्चात्तात विछाने के लिए

राज्य : गुजरात	जिला : अहमदाबाद	तालुका : दम छोई		
गांव	ब्लॉक नं.	हेक्टेयर आर.	सेटीयर	
बादराबाद	82	0	00	45
	83	0	11	95
	84	0	07	50
	85	0	11	70
	86	0	11	95
	105	0	01	80

[रा. आ. 11027/21/88-ओ एन जी डी-III]

S.O. 2969.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 527 dated 29-1-88 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government decided its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (2) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

PIPELINE FROM KNK PIPELINE PHASE-II

State : Gujarat	District : Ahmedabad	Taluka : Dascroi		
Village	Block No.	Hectare	Are	Centiare
Badraabad	82	0	00	45
	83	0	11	95
	84	0	07	50
	85	0	11	70
	86	0	11	95
	105	0	01	80

[No. O-11027/21/88-ONGD-III]

का.आ. 2960.—यतः पेट्रोलियम और खनिज पदार्थों पर भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय का अधिसूचना का.आ.गं. 701 तारीख 5-2-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाश्चात्तातों को विछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाश्चात्तात विछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तब और प्राकृतिक गैस श्रावण में, सर्वा बाधाओं से मुक्त रूप में, शोषण के प्रकाशन की रण तारीख को निहित होगा।

अनुसूची

के.एन.के. फेम II की पाश्चात्तात विछाने के लिए

राज्य : गुजरात	जिला : खेडा	तालुका : मातर		
गांव	ब्लॉक नं.	हेक्टेयर आर.	सेटीयर	
	1	2	3	4
खेडा ?	79	0	06	29
	86	0	14	00
	85	0	32	70
	64	0	21	60
	315	0	16	90

1	2	3	4	5
	317	0	19	10
	331	0	16	80
	336	0	06	75
	329	0	11	00
	335	0	08	01
	334	0	09	60
	384	0	17	60
	386	0	13	70
	427	0	11	20
	423	0	12	80
	424	0	15	20
	419	0	08	80
	418	0	06	20
	421	0	12	80
	505	0	29	80
	506	0	04	80
	507	0	34	24
	508	0	02	76
	695	0	12	00
	528	0	06	30
	527	0	01	50
	526	0	39	40
	889	0	00	39
	577	0	15	20
	576	0	24	56
	581	0	01	67
	582/ए+बी	0	13	11
	593	0	15	76
	592	0	15	76
	608	0	16	10
	601	0	20	80
	604	0	05	72
	603	0	07	67
	649	0	25	75
	648	0	14	80
	651	0	10	20
	652	0	25	45
	643	0	00	20
	654	0	30	45

[स. सं-11027/52/88-ऑन जी डी-III]

S.O. 2960.—Whereas by notification of the Government of India in the Ministry of petroleum & Natural Gas S.O. No. 701 dated 5-2-88 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

PIPELINE FOR KNK PHASE II

State : Gujarat District : Kheda Taluka : Matar

Village	Block No.	Hectare	Are	Centiare
1	2	3	4	5
Sokhada	79	0	06	20
	56	0	14	00
	55	0	32	70
	54	0	23	80
	315	0	16	90
	317	0	19	10
	331	0	16	80
	336	0	06	75
	328	0	11	00
	335	0	08	01
	334	0	09	60
	384	0	17	60
	386	0	13	70
	427	0	11	20
	423	0	12	80
	424	0	15	20
	419	0	08	80
	418	0	06	20
	421	0	12	80
	505	0	29	80
	506	0	04	80
	507	0	34	24
	508	0	02	76
	695	0	12	00
	528	0	06	30
	527	0	01	50
	526	0	39	40
	889	0	00	39
	577	0	15	20
	576	0	24	56
	581	0	01	67
	582/A+B	0	13	11
	593	0	15	76
	592	0	15	76
	608	0	16	10
	601	0	20	80
	604	0	05	72
	603	0	07	67
	649	0	25	75
	648	0	14	80
	651	0	10	20
	652	0	25	45
	643	0	00	20
	654	0	30	45

[No O-11027/52/88-ONGD-III]

K. VIVEKANAND, Desk Officer.

नई दिल्ली 13 सितम्बर, 1988

का.आ.2961-यतः केन्द्रीय सरकार की यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में लवना जी.जी.एस. I से लवना जी.जी.एस.-II तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस उपयोग द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों की विस्तार के प्रयोजन के लिये पत्रपुत्रावृद्ध अनुमति में उचित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः श्रव पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रिय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आग्रह एतद्वारा घोषित किया है।

बतर्क कि उक्त भूमि में हिमबद्ध कोई व्यक्ति, उन भूमि के नीचे पाइप लाईन बिछाने के लिए आक्षेप, सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस उपयोग निमाण और लेखपाल प्रभाग, मकरपुरा रोड, वडोदा-9 की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेंगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिवृष्टतः यत्र भी करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माफ़त।

अनुमति

लवना जी.जी.एस. I से लवना जी.जी.एस. III तक पाइप लाईन बिछाने के लिए

राज्य : गुजरात जिला : मेहसाणा तालुका : चानास्मा

गांव	सर्वे. नं.	हेक्टेयर	अर.	सेटीयर
1	2	3	4	5
धिनोज	2779	0	35	40
	2792	0	03	75
	2791/1	0	33	60
	2791/2	0	11	80
	2790	0	14	00
कार्ट ट्रैक		0	02	80
	2860	0	08	00
	2882	0	26	00
	2881	0	08	00
	2892	0	19	80
	2893	0	15	20
	91	0	14	00
	90	0	24	80
	94	0	04	00
	87	0	09	60
	95	0	25	50
कार्ट ट्रैक		0	01	25
	119	0	12	00
	120	0	14	80
	116	0	08	80
	119/1	0	08	00
	108	0	23	60
	109	0	17	00

1	2	3	4	5
	490/1	0	12	60
	490/2	0	12	60
	489/1	0	09	40
	489/2	0	07	60
	499	0	16	90
	510	0	12	80
	509	0	04	00
	513	0	15	40
	511	0	02	25
	512	0	10	00
	517	0	10	60

(सं. ओ. 11027/168/88-ओ.एन.जी.सी.-III)
के विवेकानन्द, ईस्क अधिकारी

New Delhi, the 13th September, 1988

S.O. 2961.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Lanva GGS-I to Lanva GGS-III in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra, (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

PIPELINE FROM LANVA GGS-I TO LANVA GGS-III

State : Gujarat District : Mehsana Taluka : Chanasma				
Village	Survey No.	Hec-tare	Acre	Cent-tiare
1	2	3	4	5
DHINOJ	2779	0	35	40
	2792	0	03	75
	2791/1	0	33	60
	2791/2	0	11	80
	2790	0	14	00
	Cart track	0	02	80
	2860	0	08	00
	2882	0	26	00
	2881	0	08	00
	2892	0	19	80
	2893	0	15	20
	91	0	14	00
	90	0	24	80
	94	0	04	00
	87	0	09	60
	95	0	25	50

1	2	3	4	5
	Cart track	0	01	25
	119	0	12	00
	120	0	14	80
	116	0	08	80
	116/1	0	08	00
	108	0	23	60
	109	0	17	00
	490/1	0	12	60
	490/2	0	12	60
	489/1	0	08	40
	481/2	0	07	00
	499	0	16	90
	510	0	12	80
	509	0	04	00
	513	0	16	40
	514	0	02	25
	512	0	10	00
	517	0	10	60

[No. D-11027/168/88-ONG.D.U.]

K. Vivokanand Desk Officer

उद्योग मंत्रालय

रगायन और पेटो रगायन विभाग

नई दिल्ली, 13 सितम्बर, 1988

का. आ. 2962--केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिकारियों की वेदवली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और हम संबंध में भारत सरकार के भूतपूर्व उद्योग मंत्रालय, रसायन और उर्वरक विभाग की अधिसूचना सं. एस. ओ. 2188, दिनांक 10 जुलाई, 1978 का अधिलघन करने हुए मित्राव उन बातों के जिनसे ऐसे अधिसूचना में पूर्व किया गया है अथवा करने का जोष किया गया है, नीचे की सारणी के कालम (1) में पारित अधिकारी को, जो सरकार के राजपत्रित अधिकारी के स्तर के समतुल्य स्तर का अधिकारी है, को उक्त अधिनियम के प्रयोजनों के लिए सम्पदा/अधिकारी नियुक्त करती है, जो उक्त सारणी के स्तर 2 में विनिर्दिष्ट सरकारी स्थानों की बाबत उक्त अधिनियम द्वारा या उसके अधीन संपदा अधिकारियों का प्रवर्तन शक्तियों का प्रयोग और उन पर अधिरोपित कर्तव्यों का पालन करेगा।

सु(रणी

अद्वितीय का पदनाम	संस्था की स्थापना की श्रेणियाँ
(1) काविक, कार्यवाहक, इन्डियन क्रुस गुरुदासः नृपिकेशः हैदराबाद में सभी गण्ड फामिस्मिटिकान् लि., गुड-स्थान जो उनके हों या पट्टे गांव, नृपिकेश, और हैदराबाद। पर लिए गए हैं।	

1	2
(ii) वरिष्ठ वार्षिक प्रबन्धक, इन्डियन कुम एण्ड फार्मास्यु- टिकल्स लि., मुम्बई में अवकाश उनके द्वारा नामित अधिकारी	विल्लो, नई विल्ली, बन्नी कलकत्ता मन्नाथ बंगलौर, हैदराबाद, लखनऊ बंबे/गुल शर्मिष्ठाबाद जयपुर, इन्दौर पटना, कलकत्ता और बंगलौर में आई सी पी एल द्वारा अवकाश उनकी आर से अपने कर्मचारियों के आवा- सीय प्रयोग हेतु पट्टे पर लिये गये अवकाश उनके संबंधित सभी परिवार

[सं. एल 38022(17):78 पृ० अ.ई (5)]

वी. सी. मरुगैसन ग्रामर सचिव

MINISTRY OF INDUSTRY

(Department of Chemicals and Petrochemicals)

New Delhi, the 13th September, 1988.

S.O. 2962.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), and in supersession of Government of India in the erstwhile Ministry of Industry, Department of Chemicals and Fertilizers, Notification No. S.O. 2188, dated 10th July, 1978, in this regards, except as respects things done or omitted to be done before such supersession, the Central Government hereby appoints the Officer equivalent, to the rank of a gazetted officer of Government, to be the Estate Officer, for the purposes of the said Act who shall exercise the powers conferred and perform the duties imposed, on Estate Officer by or under the said Act in respect of the public premises specified in column (2) of the said Table:

TABLE

Designation of the Officer	Categories of public premises
1	2
(i) Personnel Executive, Indian Drugs and Pharmaceuticals Limited, Gurgaon, Rishikesh and Hyderabad.	All premises belonging to or taken on lease at Gurgaon/Rishikesh/Hyderabad.
(ii) Senior Personnel Manager, Indian Drugs and Pharmaceuticals Limited, Gurgaon or an officer nominated by them.	All premises belonging to or taken on lease at Delhi/New Delhi/Bombay/Calcutta/Madras/Bangalore/Lucknow/Chandigarh/Hyderabad/Ahmedabad/Jaipur/Indore/Patna/Cochin/Karnal by or on behalf of Indian Drugs and Pharmaceuticals Limited for the residential use of its employees.

[No. L-38022/(17)/78-PI(V)]

B.C. MURUGESAN, Under Secy.

खाद्य एवं नागरिक पूर्ति मंत्रालय

(नागरिक पूर्ति विभाग)

भारतीय मानक ब्यूरो

नई दिल्ली, 5 सितम्बर, 1988

क्र. भा. 2963:—भारतीय मानक संस्था (प्रमाणन मुहर) विनियम 1955 के विनियम 7 के उपविनियम (3) के अनुसरण में भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि जिन विभिन्न उत्पादों का विवरण नीचे अनुसूची में दिया गया है उसी प्रति इकाई मुहर लगाने की फीस निर्धारित कर दी गई है और यह फीस उनके सामने दी गई तिथि से लागू होगी।

अनुसूची

क्रम संख्या	उत्पाद/संभाव की श्रेणी	सम्बद्ध भारतीय मानक की संख्या और शीर्षक	इकाई	प्रति इकाई मुहर लगाने की फीस लागू होने की तिथि	
(1)	(2)	(3)	(4)	(5)	(6)
1.	पुट्टी के लिए सफेदी दाह्य 2	आई एस : 63-1978 रोगन पुट्टी के लिए सफेदी की विनिर्दिष्ट (दूसरा पुनरीक्षण)	एक टन	रु. 1.00	1986-07-01
2.	औद्योगिक आपात शायर, आंख और मुंह धोने के फुहारे और दो वृहत्तर शीर्षधार बहुक्रिया इकाइयां	आई एस : 10592--1982 औद्योगिक आपात शायर की विनिर्दिष्ट, आंख और मुंह धोने के फुहारे और बहुक्रिया इकाइयां	एक नग	(1) रु. 10.00 प्रति इकाई, पहले 500 इकाइयों के लिए; और (2) रु. 5.00 प्रति इकाई, 501वीं इकाई और उससे अधिक इकाइयों के लिए	1986-09-16
3.	खनिकों के लिए टखनों तक के रबड़ के सुरक्षा बूट	आई एस : 10666--1982 खनिकों के लिए टखनों तक के रबड़ के सुरक्षा बूटों की विनिर्दिष्ट	एक जोड़ा	10 पैसे	1987-01-01
4.	धुलाई के लिए साबुन जैली	आई एस : 10313--1984 धुलाई के लिए साबुन जैली की विनिर्दिष्ट	100 किलो	रु. 1.00	1987-02-01

[सं. सी. एम. डी./13 : 10]

MINISTRY OF FOOD AND CIVIL SUPPLIES

(Department of Civil Supplies)

BUREAU OF INDIAN STANDARDS

New Delhi, the 5th September, 1988

S. O. 2963.--In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby, notifies that the marking fee(s) per unit for various products details of which are given in the Schedule hereto annexed, have been determined and the fee(s) shall come into force with effect from the dates shown against each:

SCHEDULE

Sl. Product/Class of Product No.	No. and Title of Relevant Indian Standard	Unit	Marking fee per unit	Date of Effect	
(1)	(2)	(3)	(4)	(5)	(6)
1. Whiting for putty, type 2	IS: 63—1978 Specification or whiting for paint and putty (second revision)	One Tonne	Rs 1.00		1986-07-01
2. Industrial emergency showers, eye and face fountains and combination units with larger twin heads	IS: 10592 —1982 Specification for industrial emergency showers, eye and face fountains and combination units	One Piece	(i) Rs 10.00 per unit for the first 500 units and (ii) Rs. 5.00 per unit for the 501st unit and above		1986-09-16

(1)	(2)	(3)	(4)	(5)
3. Safety rubber ankle boots for miners	IS: 10665—1982 Specification for safety rubber ankle boots for miners	One Pair	10 Paise	1987-01-01
4. Soap jelly for laundry purposes	IS: 10813—1984 Specification for soap jelly for laundry purposes	100 kg	Rs 1.00	1987-02-01

No. CMD/13 : 10]

का. घा. 2964:—भारतीय मानक संस्था (प्रमाणन मूहर) विनियम, 1955 के विनियम 7 के उपविनियम (3) के अनुसरण में भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि कैडमियम कॉपर तार, जिसका विवरण नीचे अनुसूची में दिया गया है, की प्रति इकाई मूहर लगाने की फीस निर्धारित कर दी गई है और यह फीस 1987-02-01 से लागू होगी।

अनुसूची

क्र. सं. उत्पाद/उत्पाद श्रेणी	सम्बद्ध भारतीय मानक की संख्या और शीर्षक	इकाई	प्रति इकाई मूहर लगाने की फीस
1. तार और टेलीफोन कार्यों के लिए कैडमियम कॉपर के तार	आई एस : 2665—1964 तार और टेलीफोन कार्यों के लिए कैडमियम कॉपर के तार की विशिष्टि	एक टन	₹. 60.00

[संख्या सी एस डी / 13 : 10]

S. O. 2964.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby, notifies that the marking fee per unit for cadmium copper wire details of which are given in Schedule hereto annexed, has been determined and the fee shall come into force with effect from 1987-02-01:

SCHEDULE


Sl. Product/Class of Product No.	No. and Title of Relevant Indian Standard	Unit	Marking fee per unit
(1)	(2)	(3)	(4)
1. Cadmium copper wire for telegraph and telephone purposes	IS: 2665—1964 Specification for cadmium copper wire for telegraph and telephone purposes	One Tonne	Rs. 60.00

[No. CMD/13 : 10]

का. घा. 2965:—भारतीय मानक संस्था (प्रमाणन मूहर) विनियम, 1955 के विनियम 4 के उपविनियम (1) के अनुसरण में भारतीय मानक संस्था एवम्सा अधिसूचित करती है कि जिस भारतीय मानक मूहर का डिजाइन, उसके प्राबन्धिक विवरण और सम्बद्ध भारतीय मानक के शीर्षक सहित नीचे अनुसूची में दिया गया है वह विवरित कर दिया गया है।

भारतीय मानक संस्था (प्रमाणन मूहर) अधिनियम, 1955 और उसके अन्तर्गत बने विनियम तथा विनियमों के प्रयोजन के लिए, यह मानक मूहर 1987-02-01 से लागू होगी।

अनुसूची


क्र. सं. मानक मूहर का डिजाइन	उत्पाद/उत्पाद श्रेणी	सम्बद्ध भारतीय मानक की संख्या और शीर्षक	मानक मूहर के डिजाइन का प्राबन्धिक विवरण
(1)	(2)	(3)	(4)
	तार और टेलीफोन कार्यों के लिए कैडमियम कॉपर के तार	आई एस : 2665—1964 तार और टेलीफोन कार्यों के लिए कैडमियम कॉपर के तार की विशिष्टि	स्वप्न (2) में दिखाई गई निम्नलिखित शैली और परस्पर सम्बद्ध अनुपात में बनाया गया "ISI" प्रयुक्त भारतीय मानक ब्यूरो का, मोनोग्राम जिसमें भारतीय मानक की संख्या, डिजाइन में दिखाए अनुसार मोनोग्राम के ऊपर संकेत हो।

[संख्या सी एस डी/ 13 : 9]

S.O. 2965 --In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks Rules, 1955) the Indian Standards Institution, hereby, notifies that the Standard Mark, design of which together with the verbal description of the design and the title of the relevant Indian Standard(s) is given in the Schedule hereto annexed, has been specified.

This Standard Mark for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from 1987-02-01:

SCHEDULE





Sl. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the design of the Standard Mark
(1)	(2)	(3)	(4)	(5)
		Cadmium copper wire for telegraph and telephone purposes	IS: 2665--1964 Specification for cadmium copper wire for telegraph and telephone purposes	The monogram of the Bureau of Indian Standards, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2), the number of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.

[No. CMD/13 : 9]

का भा. 2966 --भारतीय मानक संस्था (प्रमाणन मुहर) नियम, 1955 के नियम 4 के उपनियम (1) के अनुसरण में भारतीय मानक संस्था एतद्वारा अधिसूचित करती है कि जिन भारतीय मानक मुहरों के डिजाइन, उनके शब्दिक विवरण और सम्बद्ध भारतीय मानकों के मोनोग्राम त नीचे अनुसूची में दिए गए हैं, वे निर्धारित कर दी गई हैं।

भारतीय मानक संस्था (प्रमाणन मुहर) अधिनियम 1952 और उसके अधीन बने नियमों तथा विनियमों के प्रयोजन के लिए ये मानक मुहरों उनके सामने दी गई तिथियों से लागू होंगी।

अनुसूची





क्र. सं.	मानक मुहर उत्पाद/उत्पाद श्रेणी का डिजाइन	सम्बद्ध भारतीय मानक की संख्या और शीर्षक	मानक मुहर के डिजाइन का शब्दिक विवरण	लागू होने की तिथि
(1)	(2)	(3)	(4)	(5)
1.		पुट्टी के लिए सफेदी टाइप 2 आई एस : 63--1978 रोगन पुट्टी के लिए सफेदी की विशिष्टि (द्वारा पुनरीक्षण)	स्मृति (2) में दिखाई गई निम्नलिखित शैली और परस्पर सम्बद्ध प्रतीक से बनाया गया "ISI" प्रशस्युक्त भारतीय मानक मुहरों का मोनोग्राम जिसमें भारतीय मानक की संख्या डिजाइन में दिखाए अनुसार मोनोग्राम के ऊपर अंकित हो।	1985-02-16
2.		औद्योगिक आपान गाबर, आँख और मुह धोने के फुहारे और दो बूझपर सीपेदार बहुकिंच इकाइयाँ आई एस : 10592--1982 औद्योगिक आपान गाबर की विशिष्टि, आँख और मुह धोने के फुहारे और बहुकिंच इकाइयाँ	स्मृति (2) में दिखाई गई निम्नलिखित शैली और परस्पर सम्बद्ध प्रतीक से बनाया गया "ISI" प्रशस्युक्त भारतीय मानक मुहरों का मोनोग्राम, जिसमें भारतीय मानक का संख्या डिजाइन में दिखाए अनुसार मोनोग्राम के ऊपर अंकित हो।	1986-09-16
3.		खनिकों के लिए टखनों तक के रबर के सुरक्षा बूट आई एस : 10665--1982 खनिकों के लिए टखनों तक के रबर के सुरक्षा बूटों की विशिष्टि	--यथोपरि--	1987-01-01
4.		धुलाई के लिए साबुन जैनी आई एस : 10813--1984 धुलाई के लिए साबुन जैनी की विशिष्टि	--यथोपरि--	1987-02-01

[सं. सी एस डी/13 : 9]

S.O. 2966 — In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standard Institution, hereby, notifies that the Standard Mark(s), design(s) of which together with the verbal description of the design(s) and the title(s) of the relevant Indian Standard(s) are given in the Schedule hereto annexed, have been specified.

These Standard Mark(s) for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from the dates shown against each:

THE SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the design of the Standard Mark	Date of effect
(1)	(2)	(3)	(4)	(5)	(6)
1.		Whiting for putty, type 2	IS: 63 - 1978 Specification for whiting for paint and putty (second revision)	The monogram of the Bureau of Indian Standards, consisting of letters 'ISI' drawn in the exact style and relative proportions as indicated in Col. (2); the number of the Indian Standard being superscribed on the top side of the monogram as indicated in the design	1986-07-01
2.		Industrial emergency showers, eye and face fountains and combination units with larger twin heads	IS: 10592- 1982 Specification for industrial emergency showers, eye and face fountains and combination units	The monogram of the Bureau of Indian Standards, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2); the number of the Indian Standard being superscribed on the top side of the monogram as indicated in the design	1986-09-16
3.		Safety rubber ankle boots for miners	IS: 10665— 1982 Specification for safety rubber ankle boots for miners	-do-	1987-01-01
4.		Soap jelly for laundry dry purposes—	IS: 10813—1984 Specification for soap jelly for laundry purposes	-do-	1987-02-01


[No. CMD/13 : 9]



नई दिल्ली, 6 सितम्बर, 1988

क्र. मा. 2967 :—भारतीय मानक संस्था (प्रमाणन मुहर) नियम, 1955 के नियम 4 के उपनियम (1) के अनुसरण में भारतीय मानक संस्था एतद्वारा अधिसूचित करती है कि जिन भारतीय मानक मुहरों के डिजाइन, उनके शाब्दिक विवरण और सम्बद्ध भारतीय मानकों के शीर्षक नीचे अनुसूची में दिए गए हैं, वे निर्धारित कर दी गई हैं।

भारतीय मानक संस्था (प्रमाणन मुहर) अधिनियम, 1952 और उसके अधीन बने नियमों तथा विनियमों के प्रयोजन के लिए ये मानक मुहरे उनके सामने की गई तिथियों से लागू होंगे।

अनुसूची

क्र. सं.	मानक मुहर का डिजाइन	उत्पाद/उत्पाद श्रेणी	सम्बद्ध भारतीय मानक की संख्या और शीर्षक	मानक मुहर के डिजाइन का शाब्दिक विवरण	लागू होने की तिथि
(1)	(2)	(3)	(4)	(5)	(6)
1.		विशेष प्रमेय कैनवास और मोटा सूती कपड़ा (डक)	आईएस: 6803-- 1972 विशेष प्रमेय कैनवास और मोटे सूती कपड़े की विशिष्टि	संयम (2) में दिखाई गई निम्नलिखित शैली और परस्पर सम्बद्ध अनुपात में बनाया गया "ISI" मज़र-युक्त भारतीय मानक ग्युरो को मोनोग्राम, जिसमें भारतीय मानक की संख्या डिजाइन में दिखाए अनुसार मोनोग्राम के ऊपर प्रकृत हो।	1986-10-01

(1)	(2)	(3)	(4)	(5)	(6)
2.		उद्योगिता संवर्ग एसी-3 के लिए हस्तचालित एयर ब्रेक टाइप के डायरेक्ट-ऑन-लाइन मोटर स्टार्टर, 2.4 एम्पे 14 एम्पे की रिले सेटिंग रेंज वाले, एक फेज 220 वोल्ट और 3 फेज 415 वोल्ट की प्रचाराव बोल्टता के लिए 11.5 एम्पे की रेटिंग प्रचालन धारा वाले	आई एस : 8544 (भाग I)—1977 1000 वोल्ट से अधिक बोल्टता के मोटर स्टार्टरों की विशेषता भाग I डायरेक्ट-ऑन-लाइन एसी स्टार्टर	स्तम्भ (2) में दिखाई गई विविधताओं और परस्पर सम्बन्ध प्रचाराव में बनाया गया "ISI" प्रसारणक भारतीय मानक ब्यूरो का मोनोग्राम, जिसमें भारतीय मानक की संस्था डिजाइन में दिखाए अनुसार मोनोग्राम के ऊपर और सम्बन्ध भाग की संस्था मोनोग्राम के नीचे अंकित हो।	1986-10-16
3.		नस्बति के लिए एसी-नजकित एन्डोमोडि डिमें, किचर 1 और 2 किचर 1 प्रचाराव	आई एस : 10840—1986 वनस्वति के निर्वाह-नजकित एन्डोमोडि डिमें की विशेषता (पहला पुनरीक्षण)	विविधताओं और परस्पर सम्बन्ध प्रचाराव में बनाया गया "ISI" प्रसारणक भारतीय मानक ब्यूरो का मोनोग्राम, जिसमें "किचर डिमें" शब्द डिजाइन में दिखाए अनुसार मोनोग्राम के ऊपर और भारतीय मानक की संस्था मोनोग्राम के नीचे अंकित हो।	1986-05-16



[सं. सी एम की 13:9]


New Delhi, 6th September, 1982

S.O. 2967.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standards Institution, hereby, notifies that the Standard Mark(s), design(s) of which together with the verbal description of the design(s) and the title(s) of the relevant Indian Standard(s) are given in the Schedule hereto annexed, have been specified

These Standard Mark(s) for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from the dates shown against each;

THE SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the relevant Indian Standard	Verbal description of the design of the Standard Mark	Date of effect
(1)	(2)	(3)	(4)	(5)	(6)
1.		Special proofed canvas and duck	IS : 6803-1972 Specification for special proofed canvas and duck	The monogram of the Bureau of Indian Standards, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Column (2); the number of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	1986-10-01
2.		Manual air-break type direct-on-line motor starters for utilization category AC-3 with relay setting range 2.4 amps. to 14 amps, for operational voltage single phase 220 volts and three phase 415 volts with rated operational current upto 11.5 Amps.	IS : 8544 (Part I)—1977 Specification for motor starters for voltages not exceeding 1000V Part I Direct-on-line ac starters.	The monogram of the Bureau of Indian Standards, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Column (2); the number of the Indian Standard being superscribed on the top side and the relevant part number being subscribed under the bottom side of the monogram as indicated in the design.	1986-10-16

1	2	3	4	5	6
	Blow moulded HDPE containers for vanaspathi, 1 and 2 kg. capacity only.	IS : 10840-1986 Specification for blow moulded HDPE containers for vanaspathi. (first revision)	The monogram of the Bureau of Indian Standards, consisting of letters 'ISP', drawn in the exact style and relative proportions the words 'Container only' being superscribed on the top side and the number of the Indian Standard being subscribed under the bottom side of the monogram as indicated in the design.		1986-05-16

[(No. CMD/13 : 9)]

का. प्र. 2968/—भारतीय मानक संस्था (प्रमाणन मुहर) विनियम 1955 के विनियम 7 के उपबिभाग (3) के आश्रय में भारतीय मानक संस्था द्वारा अधिभूषित किया जाता है कि जिस विनियम उत्पादों का विवरण नीचे अनुसूची में दिया गया है, उनकी प्रति इकाई मुहर लगाने की फीस निर्धारित कर दी गई है और यह फीस उनके सामने दी गई विधि से लागू होगी।

अनुसूची

क्रम संख्या	उत्पाद/उत्पाद की श्रेणी	सम्बद्ध भारतीय मानक की संख्या और शीर्षक	इकाई	प्रति इकाई मुहर लगाने की फीस लागू होने की तिथि	
(1)	(2)	(3)	(4)	(5)	(6)
1.	विशेष प्रमेय कैनवास और मोटा सूती कपड़ा	आई एस / 6903--1973 विशेष प्रमेय कैनवास और मोटे सूती कपड़े की विनिर्दिष्ट	100 मी ²	(1) रु. 5.00 प्रति इकाई, पहली 2000 इकाइयों के लिए, और (2) रु. 3.00 प्रति इकाई, 2001 वीं इकाई और उससे अधिक इकाइयों के लिए	1986-10-01
2.	उपयोगिता संघर्ष एसी-3 के लिए हस्त-चालित एयर ब्रेक टाइप के डायरेक्ट-ऑन-लाइन मोटर स्टार्टर, 2.4 ए से 14 ए तक की रिले सेटिंग रेंज वाले, एक फेज 220 बोल्ट और 3 फेज 415 बोल्ट की प्रचालन बोल्टता के लिए, 11.5 ए तक की रेटिंग प्रचालन धारा वाले	आई एस : 8544 (भाग 1)--1977 1000 बोल्ट से अधिक बोल्टता के मोटर स्टार्टरों की विनिर्दिष्ट भाग 1 डायरेक्ट-ऑन-लाइन एसी स्टार्टर	एक नमूना	(1) 15 पैसे प्रति इकाई, पहली 10,000 इकाइयों के लिए, और (2) 10 पैसे प्रति इकाई, 1001 वीं इकाई और उससे अधिक इकाइयों के लिए	1986-10-16
3.	बदसति के लिए ब्लो-संचकित एक्-डीपीई डिब्बे, केवल 1 और 2 किग्रा धारिता वाले	आई एस : 10840--1986 बल-क्षति के लिए ब्लो-संचकित एक्-डीपीई डिब्बों की विनिर्दिष्ट (पहला पुनरीक्षण)	100 डिब्बे	(1) रु. 1.50 प्रति इकाई, पहली 10,000 इकाइयों के लिए, (2) रु. 1.00 प्रति इकाई, 10001 वीं इकाई से 20000 इकाइयों के लिए, और (3) 50 पैसे प्रति इकाई, 20001 वीं इकाई और उससे अधिक इकाइयों के लिए	1986-05-01

[सं. सी.एम.डी/13 : 10]

कि.रा. परमेश्वर, महाप्रदेश

S. O. 2968.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby, notifies that the marking fee(s) per unit for various products details of which are given in the Schedule hereto annexed, have been determined and the fee(s) shall come into force with effect from the dates shown against each :

SCHEDULE

Sl No.	Product/Class of Product	No. and Title of Relevant Indian Standard	Unit	Marking fee per unit	Date of effect
(1)	(2)	(3)	(4)	(5)	(6)
1.	Special proofed canvas and duck.	IS : 6803-1972 Specification for special proofed canvas and duck.	100 m ²	(i) Rs. 5.00 per unit for the first 2000 units and (ii) Rs. 2.00 per unit for the 2001st unit and above.	1986-10-01

(1)	(2)	(3)	(4)	(5)	(6)
2. Manual air-break type direct-on-line motor starters for utilization category AC-3 with relay setting range 2.4 amps. to 14 amps. for operational voltage single phase volts and three phase 415 volts with rated operational current upto 11.5 Amps.	IS : 8544 (Part I)—1977 Specification for motor starters for voltage not exceeding 1000 V Part I Direct-on-line ac starters.	220	One piece	(i) 5 Paise per unit for the first 10 000 units and (ii) 10 paise per unit for the 10001 unit and above.	1985-10-16
3. Blow moulded HDPE containers for vanaspati, 1 and 2 kg capacity only	IS : 10840—1986 Specification for blow moulded HDPE containers for vanaspati. (first revision)	100	Containers	(i) Rs. 1.50 per unit for the first 10000 units; (ii) Re. 1.00 per unit for the next 10001 st to 20000 units; and (iii) 50 paise per unit for the 20001st unit and above.	1986-05-16

[No. CMD/13 : 10]

K.R. PARAMESVAR, Director General

अल भूतल परिवहन मंत्रालय

(नौवहन पक्ष)

नई दिल्ली, 16 सितम्बर, 1988

का.आ. 2969 -नाविक भविष्य निधि योजना, 1966 के पैरा 3 के सब-पैरा 1 के साथ पठित नौविक भविष्य निधि अधिनियम, 1966 (1966 के 4) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा बर्ह पत्तन न्यास के उपाध्यक्ष को राजकीय अधिकारियों का प्रतिनिधित्व करने के लिए नौविक भविष्य निधि के न्यासी संडल में एक सदस्य के रूप में निवेशक/उप सचिव अल भूतल परिवहन मंत्रालय के स्थान पर नामांकित करती है और अल-भूतल परिवहन मंत्रालय (नौवहन पक्ष) के भारत सरकार की अधिसूचना सं. का.आ. 5757 दिनांक 28-12-1985 में निम्नलिखित संशोधन करती है, यथा :-

कथित अधिसूचना में क्रम संख्या (1) के लिए और उसके संबंधित प्रविष्टियों के लिए निम्नलिखित पदा जाय :-

"1. उपाध्यक्ष, सरकार का प्रतिनिधित्व"
बर्ह पत्तन न्यास.
बर्ह।

(फाइल सं. एन टी-14013/5/88 एम टी)

राम सनेही, अवर सचिव

MINISTRY OF SURFACE TRANSPORT

(Shipping Wing)

New Delhi, the 16th September, 1988

S.O. 2969.—In exercise of the powers conferred by Section 5 of the Seamen's Provident Fund Act, 1966 (4 of 1966), read with sub-paragraph (1) of paragraph 3 of the Seamen's Provident Fund Scheme, 1966, the Central Government hereby nominates Deputy Chairman, Bombay Port Trust to represent Govt. officials as a Member of the Board of Trustees of the Seamen's Provident Fund in place of Director/Deputy Secretary, Ministry of Surface Transport and makes the following amendment in the notification of the Government of India in the Ministry of Surface Transport (Shipping Wing) No. S.O. 5757 dated 28-12-1985, namely :-

In the said notification, for serial number (i) and the entries relating thereto, the following shall be substituted, namely:-

"1. Deputy Chairman.

Bombay Port, Trust,
Bombay.Government
Representative."[F. No. ST-14018/5/88-MT]
RAM SANEHI, Under Secy.

अल मंत्रालय

नई दिल्ली 13 सितम्बर, 1988

का. आ. 2970—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार 'व संयुक्त' प्रबंधक (पोर्ट ऑपरेशन) भारतीय खाद्य निगम कलकत्ता के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-9-88 को प्राप्त हुआ था।

MINISTRY OF LABOUR

New Delhi, the 13th September, 1988

S.O. 2970.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Joint Manager (port Operation) Food Corporation of India, Calcutta and their workmen, which was received by the Central Government on the 8th September, 1988.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 9 of 1982

PARTIES :

Employers in relation to the management of Food Corporation of India.

AND

Their Workman.

APPEARANCES :

On behalf of Employers : Mr. D. K. Ghosh, Advocate.

On behalf of Workman : Mr. S. N. Roy Chowdhury, an authorised representative of the workman.

STATE : West Bengal.

INDUSTRY : Fodd.

AWARD

By Order No. L-42012(27)/81-D. IV(A) dated 26th March, 1982, the Government of India, Ministry of Labour referred the following dispute to this Tribunal for adjudication :

"Whether the action of the Joint Manager (Port Operation) Food Corporation of India Calcutta in stopping Shri Mritunjoy Roy, Fitter from work with effect from the 1st January, 1974 is justified ? if not, to what relief is the workman concerned entitled ?"

2. It appears from the order of reference itself that no union representing the workman concerned, Shri Mritunjoy Roy has been made a party to the reference thereby indicating that this reference has been made at the instance of the workman concerned whose service is said to have been terminated with effect from 1st January, 1974.

3. The case of the workman concerned in brief is as follows : The workman concerned was appointed as a Fitter in the engineering section of the Food Corporation of India (hereinafter referred to as the FCI) with effect from 2nd May, 1973 against a permanent vacancy and was posted at the J.J.P. Godown of F.C.I. at 27 Hide Road, Calcutta. He was however not given any appointment letter. The workman worked there till 15 June, 1973. The workman was then transferred to the F.C.I. Godown at Budge Budge known as O.J.M. with effect from 16 June, 1973. The workman worked there till the end of December, 1973. On 1st January, 1974, one Junior Engineer, Mr. Dasgupta did not allow him to join his duty and verbally terminated his service without complying with the relevant provisions of the Industrial Disputes Act, 1947. The workman collected his salary upto December, 1973 and collected also the bonus amount of Rs. 175/- after receiving an intimation to that effect from the F.C.I., J.J.P. Godown by a post card dated 24 February, 1975 from one Junior Engineer of J. J. P. Godown.

4. After such sudden termination of the service, the workman made several representation to the appropriate authorities of the F.C.I. one after another and even to the concerned department of the Government of India for reinstatement but to no effect. The workman then approached the Assistant Labour Commissioner (Central) for conciliation and the failure report thereof resulted in this reference.

5. The employer, FCI contended inter alia in their written statement that the workman concerned was appointed as a casual workman exclusively on extra-temporary basis at J.J.P. Depot of the FCI and he worked there for a total period of 35 days of which 27 days in the month of May, 1973 and 8 days in the month of June, 1973. The employer denied the alleged transfer of the workman from J.J.P. Godown to Budge Budge O.J.M. Godown on 16th June, 1973 and denied also the workman's alleged service upto June 15, 1973 at J.J.P. Depot of the FCI. The employer denied also the alleged service of the workman at Budge Budge O.J.M. Depot upto December, 1973 and his collection of salary or any amount upto December, 1973, as the workman was not in the employment of the FCI. It was further contended that the workman ceased to be the employee of the FCI after 9th June, 1973 as a casual labourer. The workman concerned was not appointed against any permanent vacancy nor he continued in service as a casual workman for more than 35 days. It has also been denied by the FCI that the workman concerned was not allowed to do his duty on 1st January, 1974 as no such occasion could arise. According to the employer, FCI, the compliance of the provisions of the Industrial Disputes Act, 1947, in terminating the service of the casual workman like the workman concerned does not arise.

6. Both the employer and the concerned workman have adduced evidence both oral and documentary. It is the case of the workman that he was appointed against the permanent vacancy on 2-5-1973 and was posted at J.J.P. Godown of the F.C.I. W-1, Mritunjoy Roy has stated so in his evidence and has denied the employer's suggestion that he was appointed as the casual workman exclusively on extra-temporary basis. In the letter dated 8-1-1974 Ext. W-1, and the letter dated 14-7-78 Ext. W-5, written by the workman concerned to the different authorities of the F.C.I. and filed by him before this Tribunal the workman has admitted that he was appointed as a casual fitter and posted at J.J.P. Godown in May, 1973. Both MW-1 Pullin Behari Bachhar (Assistant Manager of F.C.I.) and MW-2 Amal Bhattacharya (Assistant Manager of

F.C.I. who was Junior Engineer in 1973) have stated in their evidence that the workman was appointed as a casual workman on extra-temporary basis. The entry in the Attendance Register of the casual labourer Ext. M-2 concerning the workman supports the same. The evidence and admission of the workman himself therefore prove that the workman was not appointed against any permanent vacancy but he was appointed as a casual workman on extra-temporary basis.

7. Further case of the workman is that he worked upto 15-6-1973 at J.J.P. Godown of F.C.I. and that he joined in Budge Budge O.J.M. Godown of F.C.I. on 16-6-1973 on verbal transfer, and worked there upto December, 1973. Employer's case on the other hand is that the workman worked only 35 days in J.J.P. upto 9-6-1973 and thereafter he was no more appointed by the F.C.I. The workman in support of his statement has examined himself and has produced some letters Ext. W-1 to W-6 written by him to the different authorities of F.C.I. containing such statement and has produced also one Post Card dated 24-2-1975. Ext. W-9 purported to have been written by one Junior Engineer, A. Bhattacharya to the workman asking him to take the bonus for the year 1973-74. In the face of denial of the workman's such statement by the employer through his witnesses and documents like Attendance Register Ext. M-2, the statement of the workman that he worked at J.J.P. Godown upto 15th June, 1973 and at Budge Budge O.J.M. Godown from 16th June, 1973 to December, 1973, both in his evidence and in his own letters Ext. W-1 to W-6, unless corroborated by some other reliable evidence cannot be believed. The Attendance Register of the casual labourers Ext. M-2 containing amongst others the name of the workman concerned, which appears to have been maintained in the regular course of official business, proves that the concerned workman as a casual workman worked for 27 days in May, 1973 from 2nd May and for 8 days only in June, 1973 upto 9th June at J.J.P. Godown of F.C.I.

8. Mr. Ghosh appearing for the employer has submitted that as the workman did not work at Budge Budge O.J.M. Godown, the employer has not produced the Attendance Register of that godown because the employer cannot give the negative evidence. It may be mentioned here that the workman did not call for also the Attendance Register of the Budge Budge O.J.M. Godown for the year 1973 from June. Mr. Roy Chowdhury appearing for the workman also could not give satisfactory explanation in this respect in his submission, except his submission that it was the duty of the employer to produce all relevant documents. The evidence both oral and documentary as produced by the employer shows that the workman worked for 35 days at J.J.P. Godown alone from May 2, 1973 to June 9, 1973.

9. The Bonus Register for the year 1973-74 in respect of the casual staff of the employer is Ext. M-1 which appears to have been maintained in the regular course of business. The entry Ext. M-1A shows that the workman concerned Mritunjoy Roy received the bonus of Rs. 16.50 for the year 1973-74 under his signature dated 27-2-1975. The workman WW-1 has no doubt admitted in his deposition, that he received the bonus only once for his tenure in the service under the employer but he has stated that he received the bonus amount of Rs. 175/- which is the subject matter of the Post Card dated 24-2-1975 Ext. W-9. It may be mentioned here that the post card dated 24-2-1975 Ext. W-9 the genuineness of which has been strongly challenged by the F.C.I., does not contain any figure of Rs. 175/- as the bonus amount for 1973-74. By the said post card, the workman was only asked to take the bonus for the year 1973-74. So the said post card Ext. W-9 even if found to be genuine may refer to the bonus amount of Rs. 16.00 for the year 1973-74 concerning the workman which has been mentioned in the Bonus Register Ext. M-1.

10. It is true that the ordinary post card Ext. W-9 appears to have been signed by one A. Bhattacharya as Junior Engineer of F.C.I., J.J.P. MW-2 A. Bhattacharya has stated in his evidence that he was in charge of J.J.P. as Junior Engineer in 1973 after the workman left the service and that he was in charge of J.J.P. and O.J.M. in 1975. On seeing the post card Ext. W-9, this witness has stated that the post card was not written and signed by him. The workman did not get

the disputed signature of A. Bhattacharya on the post card Ext. W-9 examined by the handwriting expert with the admitted signatures of MW-2, A. Bhattacharya. It is the settled principle of law that no Court or Tribunal should arrive at the conclusive finding in its opinion about the genuineness or otherwise of any handwriting or signature merely on the basis of such comparison unless there is some other evidence in support of such opinion. In the instant case my opinion on the comparison of the disputed signature on the post card Ext. W-9 with the admitted signature of A. Bhattacharya in the deposition sheet of A. Bhattacharya and on the Bonus Register Ext. M-1, being supported by the denial on oath of A. Bhattacharya (MW-2) himself proves that the signature reading A. Bhattacharya on the post card Ext. W-9 was not of MW-2, A. Bhattacharya who was the Junior Engineer at the relevant time. MW-1 Pulin Behari Bachhar (Assistant Manager of F.C.I.) has stated that F.C.I. never makes correspondences with outsiders by such ordinary post card as Ex. W-9. Be that as it may, the post card does not prove that the workman collected Rs. 175/- as the bonus amount for the year 1973-74. The admission of MW-2 A. Bhattacharya in his cross-examination that F.C.I. asked him to depose in this reference case by a letter detailing the facts of the case and the subject of his deposition, does not demolish the value of his evidence on oath when it has been otherwise found to be believable. As regards the entry Ext. M-1/A in the Bonus Register Ext. M-1 the workman (WW-1) has stated in his evidence that the signature Mritunjoy Roy with the date of 27-2-75 is not his signature. The employer has not got the said signature examined by the handwriting expert with the admitted signature of Mritunjoy Roy (WW-1) in the letters Ext. W-1 to W-6 or in the written statement of the workman. The employer has however examined A. Bhattacharya (MW-2) who disbursed the bonus amount to different casual staff including the workman. A. Bhattacharya (MW-2) has stated in his evidence that by the Ext. M-1/A the workman received the bonus amount in his presence under his signature. The documentary evidence Ext. M-1/A has thus been supported by the evidence on oath of MW-2 A. Bhattacharya. My opinion on the comparison of the disputed signature of Mritunjoy Roy in Ext. M-1/A with his admitted signature in the letters Ext. W-1 to W-6 is that the disputed signature is the signature of Mritunjoy Roy and the same is supported by the evidence of MW-2 A. Bhattacharya. I therefore find that the workman received the bonus amount of Rs. 16.50 for the year 1973-74 as per the Ext. M-1/A in the Bonus Register of the employer. This fact establishes the employer's case that the workman worked for 35 days only from 2nd May to 9th June, 1973 and demolishes the workman's case that he worked upto December, 1973 under the employer.

11. In view of the above, the termination of the service of the casual workman like the concerned workman who worked only for 35 days in 1973 does not attract the provisions of section 25F of the Industrial Disputes Act, 1947 and the employer was not under any statutory obligation to comply with the conditions laid down in the provisions thereof while terminating the service of such a casual workman. The action of the employer in not reinstating the workman or in not permitting the workman to work is therefore not found to be unjustified. The concerned workman is not entitled to any relief.

This is my Award.

Dated, Calcutta,
The 31st August, 1988.

SUKUMAR CHAKRAVARTY, Presiding Officer

[No. L-42012/27/81-D. IV(A)]

का. अ. 2971—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार व मैसेज ई. सी. लि. की महाबीर कोलियरी के प्रवृत्त के सम्बद्ध नियोजकों और उनके

कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचपाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-9-1988 को प्राप्त हुआ था।

S.O. 2971.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the industrial dispute between the employers in relation to the management of Mahabir Colliery of M/s. E. C. Ltd., and their workmen, which was received by the Central Government on the 8th September 1988.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 30 of 1984

PARTIES :

Employers in relation to the management of Mahabir Colliery of M/s. E. C. Ltd.

AND

Their Workmen.

APPEARANCES :

On behalf of Employers.—Mr. N. Das, Advocate with Mr. P. Banerjee, Advocate.

On behalf of Workmen.—Mr. D. L. Sengupta, Senior Advocate with Mr. M. S. Dutta, Advocate.

STATE : West Bengal.

INDUSTRY : Coal.

AWARD

By Order No. L-19012(4)/84-D. IV(B) dated 27th July, 1984, the Government of India, Ministry of Labour & Rehabilitation (Department of Labour) referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Mahabir Colliery of E. C. Ltd. in not regularising S/Shri Madan Lal Sharma, Jagdish Prasad Sharma, Brijbhushan Mishra, Sher Bahadur Patel and Subhas Prasad as Canteen Manager, sales man, canteen cook, canteen boy, is justified ? If not, to what relief the workmen are entitled ?"

2. The case of the Union espousing the cause of the workmen may be briefly stated as follows. The erstwhile Mahabir Colliery after the nationalisation of the collieries in 1973 became Mahabir (R) Colliery consisting of three units, namely, Mahabir Unit, K. S. Unit and Searsole Unit. The Mahabir Unit of the said colliery itself had more than one thousand workmen. The erstwhile Mahabir Colliery was required to run a canteen under the provisions of the Mines Act and Rules thereunder. The management of erstwhile Mahabir Colliery accordingly appointed Madan Lal Sharma as a Manager to run the Canteen on monthly remuneration of Rs. 70 by their letter dated 5-5-1982 with a direction to appoint one salesman, one cook and one Canteen boy according to his choice for getting service from them in running the Canteen. Madan Lal Sharma accordingly started the Canteen in the building built by the management for the purpose. Madan Lal Sharma as manager of the Canteen appointed Jagdish Prasad Sharma as the Salesman, Sisir Kr. Adak as Canteen Cook and Sunil Kr. Adak as the Canteen boy first of all and then appointed Brijbhushan Mishra as the Canteen Cook in place of Sisir Kr. Adak and appointed two Canteen boys, namely, Sher Bahadur Patel and Subhas Prasad in place of earlier one Canteen boy Sunil Kr. Adak. The present management after nationalisation of the coalmines stopped all salaries to the manager and other workmen of the Canteen and the repeated representations of the aforesaid workmen before

the management ended in vain. The Union to which the aforesaid workmen of the alleged Canteen belong took up the cause of the concerned workmen and Union's negotiation with the management having failed an attempt for conciliation was made. The failure report of the Conciliation Officer resulted in the present reference before this Tribunal seeking for adjudication.

3. The case of the management is briefly as follows. According to the management Madan Lal Sharma and the other alleged four workmen whose names appear in the order of reference were never employed to serve in the capacity as alleged by the Union or in any other capacity under the earstwhile Mahabir Colliery. The earstwhile Mahabir Colliery was not required to maintain any canteen under the Mines Act and the Rules thereunder and accordingly no such Canteen was maintained by the earstwhile Mahabir Colliery although the said colliery constructed building for use of the same as a Canteen at a later date when the said colliery would be required to maintain it by the prescribed authority. In the said building built for the purpose of a Canteen, at a subsequent stage, Madan Lal Sharma was allowed by the earstwhile Mahabir Colliery to run a tea and snack shop and after the nationalisation of the said colliery it was found on an enquiry made in March, 1978 by the then Senior Personnel Officer of the Mahabir Unit of Mahabir (R) Colliery that Madan Lal Sharma was running a Canteen on contract basis from pre-takeover period with his own sources and loss and profit thereof were his. It was further contended by the management that the said enquiry further revealed that Madan Lal Sharma was working as the manager on contract and his son Jagdish Prasad Sharma was working as the salesman from pre-takeover period and Sisir Kr. Adak as canteen cook and Sunil Kr. Adak as canteen boy were working from 1974. Brijbhushan Mishra, Sher Bahadur Patel and Subhas Prasad were not working in the said canteen at the time of the said enquiry in 1978. As Shri Madan Lal Sharma was nothing but a shop-keeper in the aforesaid canteen building he was directed by the management to vacate the Canteen building by their letter dated 12-10-1983. The claim of the Union representing the concerned workmen was without any basis and accordingly the workmen concerned are not entitled to get any relief as claimed.

4. Both the Union and the Management have adduced evidence in this case. The Union espousing the cause of the concerned workmen has adduced evidence both oral and documentary. But the management has adduced only oral evidence.

5. WW-1 Madan Lal Sharma was the Canteen Manager in the earstwhile Mahabir Colliery and his son Jagdish Prasad Sharma was the Canteen Salesman according to the Written Statement filed by the Union and according to the evidence of Madan Lal Sharma himself. Before I give my finding on that issue on the appreciation of the pleadings and evidence on both the sides, let me say here what WW-1 Madan Lal Sharma has stated in his evidence about the other three workmen, namely, Brijbhushan Mishra, Sher Bahadur Patel and Subhas Prasad whose names as Canteen cook and Canteen boys respectively appear in the reference.

6. The dispute in this reference has arisen out of the Union's demand for regularisation of the services of all the aforesaid five workmen by the present management. There is no dispute to the fact that none of the aforesaid workmen was appointed by the present management after the management of the earstwhile Mahabir Colliery was taken over by the Government and after the said colliery was nationalised in 1973. It appears that the workmen concerned demand the regularisation of their service from the present management on the ground that they were the workmen of the earstwhile Mahabir Colliery which vested in the present management and they became employees of the present management from 1-5-1973, the appointed day for nationalisation, according to the provisions of section 14 of the Coal Mines Nationalisation Act, 1973 (hereinafter referred to as the Nationalisation Act, 1973) before its amendment in 1986 by the Coal Mines Nationalisation Laws (Amendment) Act, 1986 (hereinafter referred to as the Amendment Act, 1986).

7. WW-1, Madan Lal Sharma has admitted in his evidence that Brijbhushan Mishra, Sher Bahadur Patel and

Subhas Prasad were employed by him in January, 1982. The Rejoinder of the Union and the letter dated 7-2-1980, Ext W-2 from the Union's General Secretary to the Chief Personnel Officer of the present management also go to support the same. There is nothing in evidence to show that the employment of the said three workmen in 1982 by Madan Lal Sharma was with the approval by the present management. Under Rule 68 of the Mines Rules only the owner, Agent or the Manager of the colliery concerned providing the Canteen facilities can appoint the Canteen staff. A letter dated 5-5-1962, Ext. W-6 of the earstwhile Mahabir Colliery appointing Madan Lal Sharma as the Canteen Manager and allowing him to select the salesman, cook and boys for the canteen according to his choice, does not indicate that Madan Lal Sharma was authorised to appoint them. The selection does not mean appointment. The aforesaid letter dated 5-5-1962, the genuineness of which has been challenged by the present management and which was issued by the earstwhile colliery cannot be binding upon the present management in the matter of new employment of the workman after 1973, the year of nationalisation. Such being the position, the regularisation of the services of the aforesaid three alleged workmen namely, Brijbhushan Mishra, Sher Bahadur Patel and Subhas Prasad by the present management does not arise.

8. As regards Madan Lal Sharma and Jagdish Prasad Sharma, in paragraph 6 of the Written Statement the management has stated that on enquiry by the present management's Senior Personnel Officer in March, 1978 it has been found that Madan Lal Sharma has been running the Canteen in the Canteen building of the Colliery in question on the contract basis and his son Jagdish Prasad Sharma is the salesman of the said canteen from pre-takeover period and that Sisir Kr. Adak and Sunil Kr. Adak used to work in the said Canteen as Canteen Cook and Canteen boy respectively from 1974 after the nationalisation of the collieries. This Tribunal is however not required to adjudicate any dispute regarding the said workmen Sisir Kr. Adak and Sunil Kr. Adak. In view of such admission in the management's Written Statement, the evidence of MW-1, M. N. Roy, who is an electrician of the management regarding the non-existence of the Canteen facilities in 1968 and thereafter is found to be false.

9. The Union has examined one Manick Chand Sharma (WW-2) besides Madan Lal Sharma. WW-2, Manick Chand Sharma has stated in his deposition that he was the Agent of the Mahabir Colliery and that he issued the letter dated 5-5-1962 (Ext. W-6) under his signature and he further stated that the vouchers (Ext. W-7 series) were issued from the colliery for payment of the salary of Madan Lal Sharma as Canteen Manager.

10. Mr. Das, the learned advocate for the management has submitted that Madan Lal Sharma has procured the aforesaid false documents in collusion with Manick Chand Sharma. No evidence has been adduced by the management to show that Manick Chand Sharma was not the Agent of the earstwhile Mahabir Colliery. Such being the position, I find no reason why I should not place reliance on the documents Ext. W-6 and Ext. W-7 series. The said documents and the evidence of WW-1 Madan Lal Sharma and WW-2 Manick Chand Sharma prove that Madan Lal Sharma had been running the Canteen as Canteen Manager not on the basis of a contract but on employment by the earstwhile colliery, since May, 1962. The evidence and the admission in the management's Written Statement have proved also that Jagdish Prasad Sharma was working as the Canteen Salesman from pre-takeover period. The other exhibited documents filed on the side of the Union also support the said fact.

11. Now the most important question comes up for decision whether the action of the management in not regularising the services of Madan Lal Sharma as Canteen Manager and Jagdish Prasad Sharma as Canteen Salesman by the present management from the date of nationalisation i.e. from 1-5-1973 is justified. Mr. Das appearing for the management has submitted that in view of the provisions of section 14 of the Nationalisation Act, 1973 as amended by the Amendment Act, 1986, the management is not under any statutory obligation to accept them as their workmen and to regularise their services from 1-5-1973, the date of nationalisation.

12. Mr. Sengupta appearing for the Union has however made forceful and illuminating submission on a detailed discussion of the relevant provisions of the Nationalisation Act, 1973 and the Amendment Act, 1986 with reference to section 6 of the General Clauses Act and in support of his such submission Mr. Sengupta has relied on the several decisions of the Supreme Court, which will be discussed later on at the appropriate place.

13. Section 14 of the Nationalisation Act, 1973 with its five sub sections before its substitution by the Amendment Act, 1986 was as follows :—

"14. (1) Every person who is a workman within the meaning of the Industrial Disputes Act, 1947, and has been immediately before the appointed day, in the employment of a coal mine shall become, on and from the appointed day, an employee of the Central Government or, as the case may be, of the Government company in which the right, title and interest of such mine have vested under this Act, and shall hold office or service in the coal mine with the same rights to pension, gratuity and other matters as would have been admissible to him if the rights in relation to such coal mine had not been transferred to, and vested in the Central Government or the Govt. company, as the case may be and continue to do so unless and until his employment in such coal mine is duly terminated or until his remuneration, terms and conditions of employment are duly altered by the Central Government or the Government Company.

(2) The Central Government or the Government Company in which the right, title and interest in relation to a coal mine have vested, may employ, on mutually acceptable terms and conditions, any person who is not a workman within the meaning of the Industrial Disputes Act, 1947, and who has been immediately before the appointed day, in the employment of a coal mine, and on such employment the said person shall become an employee of the Central Government or the Government company, as the case may be.

(3) Save as otherwise provided in sub-sections (1) and (2), the services of every person employed by the owner or occupier of a coal mine before the appointed day, shall stand terminated on and from the specified date.

(4) Notwithstanding anything contained in the Industrial Disputes Act, 1947, or in any other law for the time being in force, the transfer of the services of any officer or other employee of a coal mine to any other mine shall not entitle such officer or other employee to any compensation under this Act or any other law for the time being in force and no such claim shall be entertained by any court, tribunal or other authority.

(5) Where, under the terms of any contract of service or otherwise, any person whose services become terminated or whose services become transferred to the Central Government or a Government company by reason of the provisions of this Act is entitled to any payment by way of gratuity or retirement benefits or for any leave not availed of, or any other benefits, such person may enforce his claim against the owner of the coal mine but not against the Central Government or the Government company."

Section 14 of the Nationalisation Act, 1973 after its substitution by the Amendment Act, 1986 runs as follows :—

"14. Notwithstanding anything contained in the Industrial Disputes Act, 1947, or in any other law for the time being in force, the services of any officer or other employee employed in a coal mine shall be liable to be transferred to any other coal mine and such transfer shall not entitle such officer or other employee to any compensation under this Act or any other law for the time being in force and no such claim shall be entertained by any court tribunal or other authority."

14. Under section 1(2) of the Amendment Act, 1986, the amendments to the Nationalisation Act, 1973 shall be deemed to have come into force on the First day of May, 1973. The substituted Section 4 of the Nationalisation Act, 1973 thus shall be deemed to have come into force with effect from First May, 1973.

15. According to Mr. Sengupta, the substitution of the old section 14 of the Nationalisation Act, 1973 by the new section 14 on the basis of the Amendment Act, 1986 has actually repealed the sub-sections (1), (2), (3) and (5) of the old section 14 and retained only the sub section (4) thereof in substance as section 14. According to him the aforesaid substitution has the effect of repeal of the sub-sections (1), (2), (3) and (5) and retainment of the only one sub-section (4) of the old section 14. Such being the case, section 6 of the General Clauses Act will have its full application in this matter.

16. Mr. Das on the other hand submits that the legislators have used the word "Substitution" in the Amendment Act, 1986 and have not used the word "Repeal" in any context in the Amendment Act, 1986 so far as the old section 14 is involved and that accordingly section 6 of the General Clauses Act will have no scope of its application.

17. On a careful consideration of the relevant provisions of the old section 14 of the Nationalisation Act, 1973 and section 14 of the Amendment Act, 1986 by which the old section 14 has been substituted by the new section 14, I find sufficient force in the submission of Mr. Sengupta and I hold that substitution of the old section 14 of the Nationalisation Act, 1973 by the new section 14 on the basis of the Amendment Act, 1986 has in effect repealed the sub-sections (1), (2), (3) and (5) of the old section 14 and retained only sub-section 4 thereof in substance as the new section 14. Although there is no case of express repeal, I find the case of implied repeal of the aforesaid sub-sections from the facts and circumstances as already discussed above. Section 6 of the General Clauses Act will therefore have its full application in this case. While arriving at such a decision on the interpretation of the statutes I have been encouraged by the observation of the Supreme Court in the case of K.C.P. Employees Association v. Management of K.C.P. Ltd. reported in 1978 (1) LLJ 322 to the following effect : "In industrial law, interpreted and applied in the perspective of Part IV of the Constitution, the benefit of reasonable doubt on law and facts, if there be such doubt must, go to the weaker section, labour."; although I have no least doubt in my mind regarding the interpretation as I have already made.

18. Under Section 6(c) of the General Clauses Act, the repeal of any Act or sub-sections of any section of the said Act, unless a different intention appears in the repealing Act shall not affect any right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed. There cannot be any dispute to the fact that the Amendment Act, 1986 received the President's assent on 15-12-1986 and the amendment to old section 14 of the Nationalisation Act, 1973 got its retrospective effect from 1-5-1973 but it is also an undisputed fact that before the Amendment Act, 1986 received the President's assent on 15-12-1986, Madan Lal Sharma and his son Jagdish Prasad Sharma acquired their right to their employment under the present management from 1st May, 1973 by virtue of sub-section (1) of the old section 14 of the Nationalisation Act, 1973. The giving of retrospective effect to the new section 14 from 1st May, 1973 on the basis of the Amendment Act, 1986 cannot and does not affect the said right already accrued in favour of the said two workmen unless such intention appears in the said Amendment Act, 1986. There is nothing in the said Amendment Act, 1986 showing such intention.

19. In the case of State of Punjab v. Mohar Singh reported in 1955 (1) S.C.R. 893, the Supreme Court has observed as follows : "The provisions of section 6 of the General Clauses Act will in our opinion, apply to a case of repeal even if there is simultaneous enactment unless a contrary intention can be gathered from the new enactment." The same view has also been expressed in the case of Javanti Lal Amrat Lal v. Union of India and others reported in AIR 1971 (S.C.) 1793 wherein the Supreme Court has observed "In order to see whether the rights and

liabilities under the repealed law have been put an end to by the new enactment, the proper approach is not to enquire if the new enactment has by its new provisions kept alive the rights and liability under the repealed law but whether it has taken away those rights and liabilities." The Amendment Act of 1986 by its provisions has not taken away the rights and liabilities under the repealed sub-section (1) of the old Section 14 of the Nationalisation Act, 1973.

20. Another important point deserves consideration here. The substitution of the old section 14 of the Nationalisation Act, 1973 by the new section 14 on the basis of the Amendment Act, 1986 has omitted sub-sections (1), (2), (3) and (4) of the old section 14 and retained only sub-section (4) thereof in substance. By such omission of sub-sections (1), (2), (3) of Section 14 of the services of every person of the erstwhile Mahabir Colliery, the right, title and interest of the owner of which in the present management on the basis of the Nationalisation Act, 1973, remained in existence in the absence of any provision terminating his services in the substituting provisions of the Amendment Act, 1986 and the relationship of the employer and the employee therefore still exists between Madan Lal Sharma and Jagdish Prasad Sharma as workmen on the one hand and the present management as employer on the other. Madan Lal Sharma as Canteen Manager and Jagdish Prasad Sharma as Canteen Salesman are therefore entitled to get the regularisation of their respective services from the present management. The action of the management in not regularising their services is not justified.

21. In the circumstances as mentioned above, the management is directed to immediately regularise the services of Madan Lal Sharma and Jagdish Prasad Sharma as Canteen Manager and Canteen Salesman respectively from 1st May, 1973 with all service benefits according to the grades they are entitled to under the Rules and Agreements as applicable to the workmen.

This is my Award.
Dated, Calcutta,
The 29th August, 1988.

SUKUMAR CHAKRAVARTY, Presiding Officer
[No. L-19012(4)/84-D.IV(B)]

श्री दिल्ली, 14 सितम्बर, 1988

का.सा. 2972.- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार व भारतीय खाद्य निगम के प्रबंधन से सम्बंधित निरोधकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम, बंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-9-88 को प्राप्त हुआ था।

New Delhi, the 14th September, 1988

S.O 2972.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Food Corporation of India and their workmen, which was received by the Central Government on the 2nd September, 1988.

BEFORE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT AT BANGALORE

Dated, the 2nd September, 1988
Central Reference No. 149/87

I PARTY

The Regional Chairman,
FCI Employees Union,
C/o Food Corporation of India,
No. 10, Mission Road,
Bangalore-560027.

II PARTY

Vs.

The Regional Manager,
Food Corporation of India,
Regional Office,
"Pallavi Complex",
No. 10 Mission Road,
Bangalore-560027.

APPEARANCES :

For the I party—Shri P. Gopala Sastry, Regional Chairman, Employee's Union.

For the II party—Shri Y. K. Narayana Sharma, Advocate.

AWARD

By exercising its powers under Section 10(1)(d) of the I.D. Act, the Government of India, Ministry of Labour has made the present reference on the following point of dispute by its Order No. L-42011/23/86-D.II (B) dated 7th September, 1987.

POINT OF DISPUTE

"Whether the Management of Food Corporation of India is justified in not extending the option for revised scales from a date subsequent to 1-1-73, to the employees who were promoted from Asstt. Grade III to Asstt. Grade II in 1976? If not, to what relief the said employees are entitled?"

2. Thereupon, the I party union has filed its claim statement and inter alia, it has been contended as follows.

The II party has implemented the new scales of pay as per the recommendations of the pay committee by a circular dated 1-5-1976. The recommendation was, the new pay scales should be adopted with effect from 1-1-1973. The pay committee appointed by the F.C.I. had recommended the scales on the lines recommended by the III Pay Commission for the Central Government employees. It led to many anomalies. The senior workmen of the F.C.I. who were appointed earlier were not benefited. They were forced to repay some amount. The same was waived subsequently. The anomalies arose because the D.A. system was introduced on the basis of percentage. Prior to 1-5-1976, the D.A. system for various scales was as shown below.

Year	Basic Pay	DA + ADA/I.R.
1-1-1976	Upto Rs. 140	Rs. 98 + 41
1-1-1976	from Rs. 150 to 200	Rs. 122 + 41
1-1-1976	from Rs. 210 to 350	Rs. 146 + 51

The Pay Committee suggested that an employee should be given an option, to be exercised upto 31-12-1975 and his pay should be fixed as shown below.

The scale of pay as on the date of option plus D.A. + I.R. plus fitment benefit of 5% of the minimum of the basic pay, subject to the minimum of Rs. 15.

Since the slab system of D.A. changes at the basic pay of Rs. 150 Rs. 210 the employees who were drawing the scale of pay of Rs. 140 and Rs. 200 could not get the benefit of change in D.A. slab system, at the time of introduction of the new scales. The employee, who was drawing a basic of Rs. 140 or Rs. 200 as on 31-12-75 was compelled to lose the benefit, due to the limitation that he should exercise the option before 31-12-75. The staff bodies represented to the management about these anomalies and in order to eliminate such hardship, the management by its circular No. 42 of 1984 extended the date of option from 31-12-75 to 31-12-1979 in respect of the post held by them on 1-1-1973. The said circulars stipulated a condition that the option to retain the old scale is only for the post held by an employee on 1-1-1973. Some of the employees of Karnataka region had made representations to the management that since they were promoted during 1976, they cannot exercise for the post held by them on 1-1-1973 and that the benefit of exercising option may be extended to them for the promoted post. The management by its letter dated 28-12-85 rejected their request. The employees appointed between 1969 and 1971 as Assistant Grade III and who have been promoted in the year 1976 have lost their opportunity to exercise the

said option till 31-12-1979. Where recommending the fixation of pay scales, the pay committee has not looked into these aspects. The purpose for which the pay committee was constituted was to give relief to the employees and the very purpose was defeated. The difference in scales or pay between Gr. III and Gr. II earlier to the implementation of the new pay scales was only a matter of three increments and the magnitude of the increments was similar.

The scales were as follows :

(1) Assistant Grade III—Rs. 120-10-240

(2) Assistant Grade II—Rs. 150-10-300

The Pay Committee recommended the following new scales :

(1) Assistant Grade III—Rs. 290-10-380-12-440-15-485

(2) Assistant Grade II—Rs. 380-12-440-15-560-20-640

All those employees appointed as Assistant Grade III between the years 1969 and 1973 in the South Zone were promoted in 1976 and their scales have been fixed at Rs. 380 between April and June of 1976 in the new scale of pay. The basic pay of an employee who had put in six years of service and so also the basic of an employee who had put in three years of service as Assistant Grade III became the same, when both of them were promoted to Assistant Grade II in 1976. If the employees appointed as Assistant Grade II between 1970 and 1972 and who had been promoted in 1976 were allowed to retain their old scales even after promotion, they would have reached the basic of Rs. 210 in the years between 1977 and 1979 and if they had reached the basic of Rs. 210 (in their old scale) they would have been fixed at Rs. 428 in the new scale, the idea behind extending the option upto 31-12-79 is that they should get the benefit shown in circular No. 42/84. In the writ petition filed before the Hon'ble High Court of A.P. by the employees the ban imposed by a Circular dated 1-5-1976 has been quashed. Hence, it is prayed that they may be allowed to exercise their option to come over to the new scale between the period 1-1-1973 and 31-12-1979.

3. An additional claim statement dated 23-12-1987 has been filed by the I party and therein it has been contended as follows.

Assistant Grade III employees had challenged the order passed by the F.C.I. before the Hon'ble High Court of A.P. in Writ Petition No. 1041/78. These employees had opted to the revised scale subsequent to the date of promotion and their scales were refixed in the new scale. The II party management then issued a circular dated 29-6-77 and stated that these employees cannot retain the old scale after promotion and they can opt for the new scale at any time between 1-1-1973 and 31-12-1975 or from the date of promotion. The Hon'ble High Court of A.P. has allowed their writ petition and the appeal filed by the management has been dismissed. The 22 employees who had retained their old scale in the promoted capacity have opted to the new scale subsequent to the promotion. The present dispute relates to the same matter. Hence, those employees who have been promoted in the year 1976 from AG III to AG II may be allowed to exercise their option upto 31-12-1979.

4. The II party has filed its counter statement and inter alia, it is contended as follows.

The dispute is misconceived. There is no dispute at all. It is true that the II party has introduced new scales of pay with effect from 1-1-1973 and it was done at the recommendations of the pay committee. Pay scales have been implemented with effect from 1-5-1976. It is true that the pay scales of the F.C.I. and of the Central Government employees are different. It is not correct that there are many anomalies. It is not correct that senior workman of the F.C.I. are not benefited. The alleged anomaly shown in the claim statement is not correct. The scales of the employees of the F.C.I. were slightly higher than the scales of the Central Government employees. Asstt. Grade I, Asstt. Grade II and Asstt. Grade III of the F.C.I. are equal to U.D.C. and L.D.C. of the Central Government. The comparative scales are as shown below.

Post	Scale in Central Government prior to 1.1.1973	Post	Scale in F.C.I. prior to 1.1.1973
	Rs.		Rs.
Assistant	210-425	AG - I	225-550
U.D.C.	130-300	AG - II	150-300
L.D.C.	110-180	AG - III	120-240
	Scale with effect from 1.1.1973		
Post	Scale in Central Government	Post	Scale in F.C.I.
	Rs.		Rs.
Assistant	425-700	AG—I	450-850
U.D.C.	330-560	AG—II	380-640
L.D.C.	260-400	AG—III	290-485

There is no anomaly due to D.A. system based on percentage of the basic. Prior to 1-1-1973, D.A. was paid as per the slab system. The employees of the F.C.I. have been given D.A. at the rates admissible and as per the scheme approved by the Central Government. If the minimum of scale was more than pay admissible on computation, the pay was fixed at the minimum of scale. The date fixed for exercising the option was extended from 31-12-75 to 31-12-79 for the same post held on 1-1-1973. It is based on the policy decision of the Government of India. If a senior official has not been benefited as a junior official has been benefited, it does not mean that there is loss in the emoluments of the senior officials. The anomaly arises only in the case when in the revised scale the pay of a junior official is more than of a senior official. There is no such incident. The last date of option has been extended from time to time with an intention that the employees may be benefited and not to cause any loss to them. If once the employees exercise their option, they cannot complaint of the same. Their claim that they should be given promotion as per the new structure and that they should be also given pay scales which are more beneficial to them is not justifiable. It would result in many more anomalies. The pay structure would be disturbed. The policy matter will be interfered with. It is true that W.P. 1041/78 has been filed in the High Court of A.P. The judgement clearly states that the order does not preclude the F.C.I. from taking fresh proceedings for revising and refixing their salary. It has been stated in the judgement that the fitment in the revised scale will be done on the basis of the pay fixation as accepted by the Central Government. The reference may be rejected.

5. The I party has examined one witness and has got marked Exs. W-1 to W-12.

6. The II party management has examined two witnesses and has got marked Exs. M-1 to M-5.

7. The parties have been heard.

8. My finding on the point of dispute is as follows.

9. The management of the Food Corporation of India is not justified in not extending the option for the revised scales from a date subsequent to 1-1-1973 to the employees who have been promoted from Asst. Gr. III to Asst. Grade II in 1976 and they are entitled to the relief as shown below.

REASONS

10. The President of the I party Union has been examined as WW-1. It appears in the evidence of WW-1 Shri M. K. Raghupathy that after the last wage revision, there were certain anomalies and the union wrote a letter Ex. W-1 dated 10-3-88 to set right the same and that it was in continuation of several other letters written to them in that connection. Ex. W-1 refers to the discussion and letters of 1977, 1980 and 1984 etc. The evidence of MW-1 Chandrashekar, the Asst. Manager, F.C.I. working in the Zonal Office, Madras or the evidence of MW-2 Shri P. K. Murugan working as the Deputy Manager, Headquarters, F.C.I. New Delhi does

not show that the II party management has solved the anomalies raised in any of those letters or discussions or the last letter Ex. W-1. Ex. W-2 is the Circular dated 1-5-1976 under which the revised scales of pay for the employees of the F.C.I. were brought into effect. It is obvious from Ex. W-2 that the revised scales of pay were brought into effect from 1-1-1973. The formula as to how the revised pay should be fixed is shown in para 7 of Ex. W-2. In para 9 of his evidence WW-1 Raghupathy swears that in case of those employees who opted to the new scales with reference to the post held by them on 1-1-73, some anomalies were found and in order to set right the matter, the F.C.I. permitted to opt to the new scales upto 31-12-1979 and that circular is at Ex. W-4. Circular No. 42 of 1984, Ex. W-4 shows that the employees who want that their pay should be fixed in the revised scale may exercise their option till 31-12-1979 and they may indicate their option to that effect upto 15-9-1984 and they should show from which date they want their pay to be fixed in the revised scale. There is no dispute on the point that the management issued Ex. W-4 in order that some of the employees may get the benefit of the revised scale by exercising their option at any time till 31-12-1979. From the record it appears that some of the employees in the A.P. had however opted to the new scales in their promoted posts and when the F.C.I. found that it was not permissible, instructions were issued as per the circular, Ex. W-3 dated 29-6-1977. Ex. W-3 pointed out that as per the Circular Ex. W-2 dated 1-5-1976, an employee has the option to retain the existing scale of pay of the post held by him on 1-1-1973 until the date on which he earns his next or any subsequent increment in that scale and not for any other post of any other scale. Para 4 of Ex. W-3 shows that the employees may be required to exercise their option to the revised pay scale by 31-7-1977. It is reiterated that because some of the employees could not get the full benefit of the revised scale, the said date of option, 31-7-77 was further extended under Ex. W-4 till 31-12-1979. The evidence of WW-1 Raghupathy shows that some of the employees of the F.C.I. challenged the Circular Ex. W-3 before the Hon'ble High Court of A.P. and a copy of the judgement is produced at Ex. W-13. The judgement at Ex. W-13 shows that the F.C.I. was given the liberty to take fresh proceedings for revising or refixing the salary of the petitioners on the basis of the Circular Ex. W-3 but that it should give notice to the petitioners, call for their objections and then decide the matter. Ex. M-5 is the judgement passed in the Writ Appeal 76/80. It shows that the direction given by the Hon'ble single judge was repeated in the Writ appeal. Neither Ex. W-13 nor Ex. M-5 show that the Hon'ble High Court of A.P. decided the merits or demerits of Ex. W-3. The judgements do not help either party.

11. The evidence of MW-1 Chandrashekar or that of MW-2 Murugan reiterates the stand taken by the F.C.I. in the counter statement and it was urged before me that no discrimination has been committed by the F.C.I. and that the grievance of the I party is not well founded.

12. The I party union, on the other hand has produced the seniority list of Asst. Grade II employees and Asst. Gr. I employees at Exs. W-5 and W-6. The office order dated 4-9-1976 fixing the scales of Asst. Grade II, Asst. Grade III and other employees has been produced at Ex. W-7, Ex. W-8 in the pay slip of Shri G. Vishwambaram for the month of January 1980 Ex. W-9 is the xerox copy of the pay fixation order of some four employees who had been promoted from Asst. Grade II to Asst. Grade I, Ex. W-11 is the office order dated 21-1-85 showing the fixation of pay of six employees as per para 7 of Ex. W-1. Ex. W-12 is the comparative Table filed by the I party union showing the anomalies in the pay scales of some eight employees. From these documents and the evidence of WW-1, the I party has contended that persons who have not been promoted or who did not choose to have promotion or persons who have been promoted subsequently have been receiving more emoluments than the persons who had been already promoted. With reference to Ex. W-12, WW-1 Raghupathy has sworn that the persons at Sl. No. 3 C. Sudhakaran, No. 4 C.I. Kochumathew, Sl. No. 6 P. Madhavankutty who are holding the posts of Asst. Grade II have been promoted from the post of Asst. Grade III to Asst. Grade II subsequent to the promotion of Sl. No. 1 G. Vishwambaram, Sl. No. 2 Shri B. Nagaraj, Sl. No. 7 Shri S. Ramesh and Sl. No. 8 R. M.

Rajanna. The names of all these persons are found in Ex. W-5 and W-6. The date of promotion of Sl. No. 6 Shri P. Madhavankutty has been however shown as 29-12-78 in Ex. M-5 at Sl. No. 533, whereas in Ex. W-12 his date of promotion from Asst. Grade III to Asst. Grade II has been shown as 1-1-79. If Sl. No. 3 Shri C. Sudhakaran, Sl. No. 4 Shri C. I. Kochumathew and Sl. No. 6 Shri Madhavankutty have been promoted from Asst. Grade III to Asst. Grade II on 8-4-76, 15-6-76 and 29-12-78 respectively, the persons at Sl. No. 1 Shri G. Vishwambaram, Sl. No. 2 Shri B. Nagaraj have been promoted from Asst. Grade III to Asst. Grade II on 29-9-75 and 22-3-76 respectively. Ex. W-12 shows that the basic pay of Sl. No. 3 Shri C. Sudhakaran, Sl. No. 4 Shri Kochumathew, Sl. No. 6 Shri Madhavankutty was Rs. 500 in 1979 whereas the basic pay of Shri G. Vishwambaram and Shri B. Nagaraj only Rs. 428 though Vishwambaram and Nagaraj had been promoted earlier to sudhakaran, Kochumathew and Madhavankutty. The figures shown in Ex. W-12 are supported by the figures shown in Ex. W-7, W-9 and W-11. Ex. W-7 at Sl. No. 45 shows that Shri B. Nagaraj had been promoted from Asst. Grade III to Asst. Grade II on 22-3-76 and his pay in the revised scales was fixed at Rs. 392 in the scale of Rs. 290—485. The date of increment between Rs. 380 Rs. 440 is Rs. 12. From 1976 to 1979 he had earned three increments of Rs. 12 each and thus his basic pay in the new scale on 22-3-1979 was Rs. 428. The pay slip series of G. Vishwambaram for January 1977, April 1978, January 1979 and January 1980 disclose that in January 1977, as Asst. Grade II it was Rs. 402.04 P., in April 1978 as Asst. Grade II Rs. 416 and in January 1979 as Asst. Grade II Rs. 428.02 P. Ex. W-11 at Sl. No. 6 shows that the basic pay of Shri C. Sudhakaran was fixed at Rs. 500 as on 1-1-1979. Sl. No. 5 indicates that the basic of Shri C. I. Kochumathew was fixed at Rs. 500 as on 1-1-1979. Sl. No. 4 of Ex. W-11 shows that on 1-1-1979 the basic of Shri Madhavankutty was fixed at Rs. 500. Thus, it is very clear from the evidence of WW-1 and these documents that the abstract prepared as per Ex. W-12 is correct and it is obvious that the persons who had been promoted earlier, such as Shri G. Vishwambaram and P. Nagaraj have been getting only Rs. 428 in their promoted post, whereas those who have been promoted subsequently such as Sudhakaran Kochumathew and Madhavankutty were getting Rs. 500 as basic in 1979. The I party has thus established that by not allowing the persons promoted to have the benefit of the circular Ex. W-4 there are anomalies and the persons who have been promoted earlier and who are seniors are getting less basic pay than the persons who have been promoted subsequently. The discrimination is more glaring when it is looked in the context that even persons who did not choose to have the promotion or persons who have been refused promotion on earlier occasions, but who have been promoted subsequently are drawing more basic than the persons who had been promoted on merit, earlier to them. A finding thus emerges that the I party has established a case that the management was not justified in not extending the option given to other employees as per Ex. W-4 to those who have been promoted in the meanwhile.

13. The learned counsel for the II party strongly contended that the pay structure and the set up of hierarchy will be disturbed and since the decision taken in Ex. W-4 is of a policy matter, this Tribunal may not interfere with the same. The point of reference is whether the II party F.C.I. is justified in not extending the facility of option as per Ex. W-4, enjoyed by the employees who are not promoted to those who have been promoted also and in that context it cannot be said that it is a policy matter and that there can be no finding by this Tribunal. The only question that shall have to be taken care of would be that the pay structure and the hierarchy should not get affected. The II party had not put forth any material before this Court to show that the pay structure gets disturbed if the option given by those persons who are not promoted under Ex. W-4 is extended to the persons who have been promoted, but on the condition that only for the purpose of fixation of pay, it shall be nationally treated as though they had not been promoted till the date of their option. If the said procedure is adopted, the dates of their respective promotions can also be maintained and at the same time they will be entitled to have the option, so that they can exercise the same option which the non-promotees exercised under Ex. W-4.

14. The learned counsel for the II party contended that there is neither any arbitrariness nor any mala fides in extending the date of option as per Ex. W-4 and that the I party union has not at all made out any case. No question of arbitrariness or mala fides is involved and there is no allegation by the I party to that effect. The simple question is whether the action of the management is justified in extending the date of option only to a section of employees as shown in Ex. W-4 and asking the employees who had better merit and who had been promoted earlier to receive lesser basic pay. The discrimination is writ large in the action of the management.

15. The learned representative for the I party cited the case of Ananda and others Vs. Karnataka State Financial Corporation [I.L.R. 1985 Karnataka Page 446]. The facts of the reported case would show that the KSFC had committed discrimination without any rational basis, resulting in violation of Articles 14 and 16(i) of the Constitution. In my view, Ex. W-4 discriminates one set of employees against another set in as much as the persons promoted earlier are asked to receive lesser basic pay than the persons who had been refused or who got promotion subsequently. Secondly, it is possible to set right the anomaly that has been demonstrated before this Tribunal and under such circumstances, it cannot be said that the I party is not justified to raise the dispute. The employees who were promoted from Asst. Grade III to Asst. Grade II are being awarded with the option to opt for the new scale at any time till 31-12-1979 and since it is an advantage awarded to them, they should have no grievance for not getting the promotional benefits between their present dates of promotion and there would be dates of option.

16. In the result an award is passed to the effect that the management of the Food Corporation of India was not justified in not extending the option for revised scales from a date subsequent to 1-1-73 till the date 31-12-1979 as shown in Ex. W-4 to all the employees including the employees promoted from Asst. Grade III to Asst. Grade II, but it is awarded that the employees who have been promoted from Asst. Grade III to Asst. Grade II after 1-1-73 shall have their option to opt for the revised scales at any time till 31-12-79 as shown in Ex. W-4 and for the purposes of fixation of their pay only, it shall be nationally deemed, although they were not promoted till the date of their option and that their emoluments shall be fixed with reference to the respective dates of their option and for the other purposes the principles laid down in Ex. W-4 shall be applicable. It is made clear that for all the other purposes, except for fixation of their emoluments, their dates of promotion or their seniority shall stand as they are.

(Dictated to the Personal Assistant, taken down by her, got typed and corrected by me.)

B. M. LALGE, Presiding Officer

[No. L-42011/23/86-D.II (B)]

R. K. GUPTA, Desk Officer

नई दिल्ली, 13 सितम्बर, 1988

का.प्र. 2973-—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बिसरा स्टोन लाईम कम्पनी लिमिटेड, बिरमित्रपुर के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, मुम्बई के पंचद को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-9-88 को प्राप्त हुआ था।

New Delhi, the 13th September, 1988

S.O. 2973.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Bhubaneswar as shown in the Annexure. in the industrial dispute between the employers in relation to the management of Messrs. Bisra Stone Limes Company Limited, Birmatrapur and their workmen, which was received by the Central Government on the 5th September, 1988.

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

Industrial Dispute Case No. 16 of 1984(C)

Dated Bhubaneswar, the 24th August, 1988

BETWEEN

The Management of M/s. Bisra Stone Lime Company Ltd., Birmatrapur.—First Party—Management.

vs.

Their workmen

1. Chaitan Mirdha,
2. Karous Barla,
3. Etwari Lakra
4. Chaitan Mirdha,
5. Radhi Lakra
6. Biban Nag
7. Budhu Rautia
8. Josepha Kerketta
9. Bajni Surejha,
10. Dhankur Dang
11. Bahadur Kairi
12. Fulmani Bag
13. Charku Pradhan
14. Johan Kerketta
15. Raibari Behera
16. Sabina Dungdung
17. Mohan Naik
18. Mangal Tuti
19. Sukra Sahoo
20. Chamari Pipled
21. Purna Naik
22. Toya Kujur
23. Habil Topno
24. Julin Topno
25. Soma Ekka
26. Jagnath Barik
27. Suleman Topno
28. Paulus Kindo
29. M. Barla
30. Jaimati Lugun
31. Laimohan Pandey
32. Pandra Surin
33. Budhram Kamal
34. Suhag Bibha
35. Stainles Surin
36. Maya Bajarpathar
37. Nuas Topno
38. Johan Dungdung
39. Boas Tepno
40. Mangobind Biswal

Represented by the General Secretary, Gangpur Labour Union, P.O. Birmatrapur, Dist. Sundergarh.

— —Second Party—Workmen

APPEARANCES :

Sri M. C. Naik, D.G.M. (Personnel),
 Sri S. K. Padhi, Advocate—For the First Party—Management.
 Sri K. N. Pathak, Secretary, Gangpur Labour Union (INTUS), Biramitrapur—For the Second Party—Workmen.

AWARD

1. The Government of India in the Ministry of Labour Department in exercise of the powers conferred upon them under section 7-A and clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute vide their Order No. L-29011/25/84-D. III(B) dated 4th December, 1984 for adjudication:—

“Whether the action of the management of Messrs. Bisra Stone Lime Company Limited, Biramitrapur in retiring the undermentioned 40 workmen with effect from 1-1-84 is justified? If not, to what relief are the workmen concerned entitled?”

1. Chaitan Mirdha, Mulla
2. Karous Barla, Clerk
3. Etwari Lakra, Loader
4. Chaitan Mirdha, Mulla
5. Radhi Lakra, Loader
6. Biban Nag, Pettydar
7. Budhu Rantia, Pettydar
8. Josepha Kerketta, Fitter
9. Bajnisurajhia, Loader
10. Dhankuar Dang, Pettydar
11. Bahadur Kairi, Pettydar
12. Fulmani Bag, G. Rega
13. Charku Pradhan, Pettydar
14. Johan Kerketta, Pettydar
15. Raibari Behera, Loader
16. Sabina Durgdung, G. Rega
17. Mohan Naik, Cook
18. Mangal Tuti, Pettydar
19. Sukra Sahoo, T. Man-3
20. Ghamari Piplad, Pettydar
21. Purna Naik, Tradesman
22. Toya Kujur, M. Mate
23. Habil Topno, Tradesman
24. Julin Topno, M. Mate
25. Soma Ekka, Pettydar
26. Jagnath Barik, Pettydar
27. Suleman Topno, Pettydar
28. Paulus Kindo, Tradesman
29. M. Barla, Clerk
30. Jaimati Lugun, Blaster,
31. Laimohan Pandey, S. Guard
32. Pandra Surin, Pettydar
33. Budhram Kamal, Pettydar
34. Suhag Bibha, Pettydar
35. Stainless Surin, Clerk
36. Maya Bajjpathar, JK Driller
37. Nuas Topno, Tradesman
38. Johan Durgdung, Lab. Asst.
39. Bose Tonono, S. Guard
40. Mangobind Biswal, M. Mate.

2. On 23-8-88 the representative of both the parties filed a Memorandum of Settlement and submitted that they have settled the dispute out of court in the interest of industrial peace and harmony and prayed to pass an Award in terms of the settlement. Both the parties admitted the

terms of the settlement before me. The settlement appears to be fair. Hence, I pass this Award in terms of the settlement. The Memorandum of Settlement do form part of the Award.

Presiding Officer
 Sd/- S. K. MISRA

[No. L-29011/25/84. D. III(B)]
 V. K. SHARMA, Desk Officer

FORM H

(See Rule 58)

FORM FOR MEMORANDUM OF SETTLEMENT

Memorandum of Settlement arrived at before the Presiding Officer, Industrial Tribunal, Orissa, Bhubaneswar on 23rd August, 1988 over the dispute between the Management of Bisra Stone Lime Co. Ltd., Biramitrapur and their workmen represented by Gangpur Labour Union, Biramitrapur.

Name of the Parties :

On behalf of the employer, M. C. Naik, D. G. M. (P)
 Bisra Stone Lime Co. Ltd.,
 Biramitrapur.

On behalf of the workmen, K. N. Pathak,
 represented through Gangpur, Secretary,
 Labour Union (INTUC). Gangpur Labour Union,
 (INTUC), Biramitrapur.

SHORT RECITAL OF THE CASE

The Secretary, Gangpur Labour Union, had raised an Industrial Dispute vide their letter No. CLU/2/551 dated 28-12-1983 before the Assistant Labour Commissioner (Central), Rourkela, alleging premature and illegal retirement of workmen on the ground of superannuation by Bisra Stone Co. Ltd., Biramitrapur, in respect of 40 workmen. On the failure of conciliation proceedings, the dispute has been referred for adjudication before the Presiding Officer, Industrial Tribunal, Bhubaneswar, and on the same issue, Industrial Dispute Case No. 16/84 (Central) is pending for hearing before the Industrial Tribunal.

In the course of hearing, both the parties had good deal of discussion to settle the dispute amicably. The parties explained their respective points. After considering all aspects of the matter including the need to maintain peaceful and harmonious relations between the Company and the Union, the parties resolved the dispute finally on the following terms :

TERMS OF SETTLEMENT

1. In response to the Union's assurance to extend positive cooperation and maintain harmonious industrial relations the parties agree to settle the dispute amicably, the Union agreed to withdraw the dispute pending before the Industrial Tribunal (Central), Bhubaneswar and file this Memorandum of Settlement to form a part of the Award of the Dispute.

2. The Union on behalf of the workmen accepts the change made in the system of recording date of Birth since 1971 and will not make any claim for the employees superannuated between 1971 to 1984 and from 1985 to 1988. However, the management as a measure of goodwill on a special consideration agrees to make an exgratia payment to the concerned 40 superannuated employees whose dispute is pending before the Industrial Tribunal, Bhubaneswar in I.D. Case No. 16 of 1984 (C). The payment will be made in following terms :

(i) The employees out of these 40 concerned in the dispute whose date of appointment is between January to June, they will be paid three months' wages as exgratia payment calculated on the basis of last wage drawn by them.

(ii) The employees of these 40 concerned in the dispute whose date of appointment is from July to December will be paid three and half months' wages as exgratia payment calculated on the basis of last wage drawn by them.

It is clarified and agreed that these payment is only confined to the 40 employees concerned in the dispute as a measure of good will by the management. The exgratia payment for such workmen will be paid by the management within a period of one month from the date of receipt of the award.

3. For harmonious Industrial Relations, it is agreed that from the 31st December, 1988 and onwards, the date and month of retirement of workers on superannuation ground after completion of 60 years will be effective from the date and months of employment and not from 1st January as done in the past, for those employees who do not have actual date of birth in the Company's statutory record.

4. The settlement done by the Union will be binding on all the workmen past and present. The settlement has been done with concurrence of the union and ratified by the union.

Sd/-

D. G. M. (P), B. S. L. Co., Ltd.

Signature on behalf of the,
Employer and Designation.

Witnesses :

1.

(S.K. Pedh),
Advocate.

(K. N. Pathak),
Secretary,
Gangpur Labour Union,
Signature on behalf of the
Union and Designation.

Witnesses :

1.

(M. R.),

Advocate.

1.

2.

नई दिल्ली, 14 सितम्बर, 1988

का.प्र. 2974.—कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा 33 (1) के अनुसरण में, केन्द्रीय सरकार, केन्द्रीय भविष्य निधि आयुक्त के पद का वर्तमान कार्यभार संभालने के लिए केन्द्रीय भविष्य निधि आयुक्त, नई दिल्ली के कार्यालय में केन्द्रीय भविष्य निधि अवर आयुक्त, श्री एस.पी. महरोत्रा का तत्काल प्रभाव से अग्रणी आवेदन होने तक के लिए नियुक्त करती है।

[संख्या ए-36019/1/88-एम एन III]

मीना गुप्ता, निदेशक

New Delhi, the 14th September, 1988

S.O. 2974.—In pursuance of Section 5-D. (1) of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby appoints Shri S. P. Mehrotra, Additional Central Provident Fund Commissioner in the Office of the Central Provident Fund Commissioner, New Delhi, to hold the current charge of the post of Central Provident Fund Commissioner with immediate effect until further orders.

[No. A-36019/1/88-SS. III]
MEENA GUPTA, Director

नई दिल्ली, 16 सितम्बर, 1988

का.प्र. 2975.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, नेशनल इन्डस्ट्रियल ट्रेड्युन बन्ड्स के प्रबंधन में सम्बद्ध निर्वाहकों और उनके कार्मिकों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अभिकरण, पारमार्शिय जॉयन वर्क्स के पंचाट की प्रकाशित करती है, जो केन्द्रीय सरकार का 36019-88 की प्रमाण हुआ था।

2941 G1/88—6

New Delhi, the 16th September, 1988

S.O. 2975.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the National Industrial Tribunal, Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the Life Insurance Corporation of India and their workmen.

ANNEXURE

BEFORE THE NATIONAL INDUSTRIAL TRIBUNAL AT BOMBAY.

REFERENCE NO. NTB-1 OF 1987

Parties : —Employers in relation to the management of Life Insurance Corporation of India
and
their workmen

Appearances :—

For the management : Mr. M.V. Paranjape and
Mr. S.M. Paranjape Advocates

For All India Insurance Employess Association and Western Zone Insurance Employees Association : Mr. Sen Gupta, Advocate and Mr. A.S. Deo, General Secretary.

For the National Organisation of Insurance Workers : Mr. Uday Patwardhan, President.

For the Central Zone Life Insurance Employees Association : Mr. S.S. Srivastav

For the Akhil Bharatiya Jivan Bima Nigam Chaturtha Serni Karmachari Sangh. : Mr. Sukumar Mukherjee, Adviser.

For All India SC/ST/NB LIC Employees Welfare Association : Mr. Pagare, President.

For All India Life Insurance Employees Association : Mr. Sant Bhattacharya.

For All India LIC Employees Federation : Mr. V.B. Kathuria, Joint Secretary.

For All India National Life Insurance Employees Federation : Mr. T.N. Krishnan, Jt. General Secretary.

Industry : Insurance

Bombay, dated the 26th day of August, 1988.

AWARD

This reference under S. 36-A of the Industrial Disputes Act arises out of the award dated 17th April, 1986 of the National Industrial Tribunal, Bombay in reference No. NTB-1 of 1985. The industrial dispute that was referred to the National Tribunal and which was the subject matter of reference No. NTB-1 of 1985 related to the absorption of the badli temporary and part-time class-III and Class-IV employees in the permanent cadres of the Life Insurance Corporation of India and conditions of service of such employees. The reference which was under S. 10 of I.D. Act was as follows :—

"What should be the wages and other conditions of service of badli, temporary and part-time workmen of the Life Insurance Corporation of India as well as the conditions of their absorption into regular cadre?"

2. After long-drawn hearing, an award in invitum was passed on the basis of suggestions independently and confidentially made by the management and the various unions

who represented the workmen, the parties having given mandate to the Presiding Officer to base his award on any of the suggestions made by the parties, after making necessary modifications. These suggestions which were made in sealed covers were opened in the open court and parties were heard on the rival suggestions and also on the suggestions made by the Presiding Officer himself before finalising the award. The suggestions made by the Presiding Officer were incorporated in the order dated 14th March, 1986. The directions given in the award on the question of absorption are interspersed in paras 40 to 60 and 66 of the award while directions in respect of the second part of the reference, namely, conditions of service of badli, temporary and part-time workmen find place in paras 61 to 64 and 67 of the award.

3. Though the award was an award in invitum, the management felt dissatisfied with some of the terms of the award and hence filed a writ petition in the Bombay High Court for the following reliefs :—

- “(a) That this Hon'ble Court may be pleased to exercise the jurisdiction vested in it under Article 226 of the Constitution of India and be pleased to issue a writ of certiorari or a writ in the nature of certiorari or any other appropriate writ, order or direction calling for the records and proceedings in respect of Reference NTB-1 of 1985 before the Presiding Officer, National Industrial Tribunal at Bombay, and after examining the legality, validity and propriety thereof to quash and set aside the Award Exhibit 'H' hereto dated 17th April, 1986 made by the 9th Respondent :
- (b) that pending the hearing and final disposal of this petition the further operation of the Award Exhibit 'H' hereto dated the 17th of April, 1986 of the National Industrial Tribunal, Bombay in Reference No NTB-1 of 1985 be stayed;
- (c) for ad-interim relief in terms of prayer (b) above;
- (d) that the respondents or any of them be directed to pay the costs of the present petition; and
- (e) for such further and other reliefs as the nature and circumstances of the case may require.”

4. The learned Single Judge, (Pendse J.) who heard the writ petition dismissed it in limine after hearing both the sides, declining to exercise jurisdiction under Article 226 and 227 of the Constitution on the ground that the award was one in invitum and passed on the basis of consensus of the parties. The learned Judge, however, in order not to leave any further scope for controversy considered the objections raised by the management of the Life Insurance Corporation of India to some of the directions contained in the award and rejected them giving reasons. Thereafter, the workmen represented by the unions moved an application for Speaking to the Minutes in respect of certain observations made by the Learned Judge while rejecting the contentions of the management in respect of relevancy of educational qualifications for the purpose of absorption contemplated by the award. This application was rejected and thereafter the management sought extension of time for the implementation of the award is in view of the pendency of the writ petition, the time-schedule mentioned in the award could not be adhered to. This request came to be granted by the High Court.

5. Thereafter, on the basis of the terms of the award and interpretation put on some of the provisions of the award by the High Court the Central Office of the Life Insurance Corporation of India issued circulars dated 17th September, 1986, 18th September, 1986, 19th September, 1986, 25th September 1986, 22nd October 1986 and 25th February 1987 to various offices of the Corporation in India containing instructions and guidelines for the purpose of implementation of the award as the management understood it.

6. Workmen disputed the interpretation put by the management on various provisions of the award and hence the matter was taken up in conciliation. The conciliation proceedings, however, failed and in view of the rival interpretations put on the relevant provisions of the award, the

Central Government in exercise of the powers conferred by S. 36-A has referred the following dispute to this Tribunal for a decision.

“Can the Award dated 17-4-1986 with special reference to paragraphs 44, 45, 46, 48, 49 51 52 54 55 56 57, 60, 64 and 66 and the interim order dated 14-3-1986 be interpreted to mean that the Central office of the Life Insurance Corporation of India is empowered to issue instructions/guidelines as contained in their circulars issued in this behalf to implement the directions of the Award. If not, what could be the correct interpretation of various directions covered by the said paragraphs in the circumstances of the case? Whether the term ‘absorption’ referred to at various places in the Award can be interpreted to mean ‘recruitment’?”

7. As mentioned above, before finalising the award the Presiding Officer had invited suggestions from both the parties and also made his own suggestions which are incorporated in the order dated 14th March, 1986. The Presiding Officer made these suggestions after perusing the suggestions made by the parties to the dispute.

8. As the reference contemplates interpretation of the award with special reference to interim order dated 14th March, 1986 also, and as this interim order provides, to some extent, a back drop to the award, I propose to quote that part of the interim order which contains the suggestions made by the Presiding Officer himself, after perusing suggestions made by the parties, for formulating his award.

“Pursuant to the directions on 6th March, 1986 parties have given their suggestions in sealed covers. Most of the union suggestions say that everyone should be appointed, but generally there is a consensus that these people should be considered and given preference in appointments. The minimum emoluments payable to these workmen have also been suggested. There is also sensible response from the management with regard to employments. I take that all these are Class III and Class IV appointments. One of the suggestions which I am making was that part-time employment in Class III should be totally stopped. Parties say that there is no part-time employment in Class-III. We can straight away ignore part-time class III employees.

The management says that they have provision for 10 per cent leave reserve. The unions have also given a list of the workmen who have been in Badli employment, temporary employment or part-time employment during the last 3 years. We have to take a cut-off year and it is better if we go back upto 1-1-82. Most of the unions have suggested 1983. I am suggesting 1982. Present reference came up in 1985 and since then normally all employees will have to be considered. We may take 1-1-1982 as cut off date. All those who were in employment after 1-1-82, i.e. in employment in various capacities with the LIC can be found out. I also want to say that only for purely contract work, such as shifting of records etc., contract labour should be employed and contract labour should not be used for regular work and vice versa. That is generally the suggestion of the unions too.

Since over and above this 10 % leave reserve the LIC is employing Badli, temp & part-time employees, it is necessary to find out how much more regular employment there can be & how much more work, these people did in terms of man hours & days. You can find out the number of man hours i.e. number of hours worked by these workmen. Then divide it by the number of hours per day. Thus we get the number of men. Then, we may divide the number of men further by days. This will provide the requirement of men and days. From this we can find out how many more people are required over and above the 10 % leave reserve. As it is, the Corporation is utilising men over and above 10 % and their requirement therefore is more than 10 %. Once we find out this, we can ascertain what is the total availability of employment with the Corporation, in which some of these people can be absorbed. Then we can decide whether this 10 % leave reserve can be increased to 12 % or so, so that these number of vacancies can become available.

If the number of vacancies are thus found then the next stage which I am suggesting is that we may form pools of these workmen for every zone or division. For instance, you may require more men in a certain division, but the total zonal requirement may be smaller. Besides this it more of a local employment. First we have to decide whether the break-down should be on zonal basis or on the divisional basis. After we find out that I suggest that these people in each division should be formed into a pool. There should be no permission to migrate from one pool to another. Once person is in the part-time employees pool or in the temporary employees pool, he should remain in the same pool. But where a workman says that he also worked as a temporary or part-time or casual workman in more than one category, then we may have a problem, but if there is any such occasion, we can consider it separately. These pools should be formed preferably at the divisional level. After forming the pool, then a screening committee or board should be constituted for each division, which should look into these persons and ascertain their suitability for employment considering their past record. While forming the screening committees, I suggest that such committees should consist of one local member and two other members from outside the division, so that local prejudice or bias would not be alleged in the matter of screening. After the screening is made, all those employees should be placed in a panel in the order of their seniority. Whenever any future vacancies occur, they should be filled from these people only. Only when the list is completely exhausted, recruitment should be made from outside Recruitment should not be made from open market unless the candidates in the pool are completely absorbed.

If there are part-time workmen, then an hourly scale should be prescribed. Instead of making payment for three hours, two hours, etc. we should fix an hourly rate. If the workman works more than half an hour, he should be treated as having worked for an hour, and for work for less than half an hour, he should be treated as having worked for half an hour. So far as others are concerned, they should be given wages at the minimum of the scale applicable to them, plus casual leave and holidays falling in between. Unions suggest that all benefits should be given. But that would entail enormous amount of record keeping. These two things should be available, and after a number of days of service, earned leave and sick leave may be given at a particular rate."

9. It would also be worthwhile to mention in brief the scheme of the award in reference NTB-1 of 1985 and the various provisions dealing with the subject matter of the said reference. Para 1 of the award mentions the dispute referred for adjudication. In para 2 reference is made to the Staff Regulations, 1960 made and published by the Life Insurance Corporation, hereinafter referred to as the Corporation in terms of clauses (b) and (bb) of sub-section (2) of S. 49 of the Life Insurance Corporation Act, 1956 and the classification of employees made by the said regulations. As the regulations did not recognise category of employees described as badli and part-time workmen, the Tribunal ignored the badli employees in the temporary category while dividing part-time employees as regular part-time employees and substitute part-time employees. In paragraph 3 mention is made of the fact that amongst the employees covered by the said reference, there were no part-time or badli employees from Class-III. Para 4 makes mention of various temporary categories in class-III. In para 5, it is stated that the part-time employees appear to be mostly from the category of sweepers, while Badlis appear to be from the categories of watchmen, Peon, Liftmen and other such posts. The list however, is not made exhaustive. Paras 6 and 7 make mention of the unions of workmen who were permitted to appear and represent the workmen and file their statements of claim. In paras 8, 9 and 10, the Learned Presiding Officer summarised the Statement of Claim, filed by the All India National Life Insurance Employees Federation making mention of the demands made by the Federation. In para 11, the Tribunal observed that generally statement of claim filed by all the unions proceeded more or less on the same lines. Paragraphs 11 to 20 contain the salient features of the statements of claim of other unions. Paragraphs 21 and 22 contain the contentions of all these unions. In para 23, the Tribunal discussed as to from what year the benefits of wages and conditions of service should be extended and what year should be taken into account for the purposes of absorption and what should be the criteria to be adopted and service of the employees

at what point of time should be taken into account for the purpose of absorption. In paras 24 to 27, the Tribunal made reference to the pleadings delivered by the Corporation and summarised the contentions raised by the Corporation in its written statement dated 25th October, 1985.

10. In paras 28 to 31, the Tribunal set out the procedure followed after all the pleadings were delivered and documents filed, till 14th March, 1986, on which date, the learned Presiding Officer passed the order quoted above, in which the Learned Presiding Officer made his own suggestions for consideration of the parties after perusing the suggestions made by the parties in sealed covers. In paragraphs 32 to 38 he made mention of only such suggestions as were incorporated in the order dated 14th March, 1986. The procedure followed after the order dated 14th March, 1986 is briefly stated in para 39.

11. As mentioned above, the substantial provisions of the award are contained in paragraphs 40 to 61. In para 40, the Tribunal dealt with the question of the cut off year and cut-off date and fix the cut off year as 1982 and cut off date as 1-1-1982. In paragraph 41, the learned Presiding Officer stated how he proposed to approach the two parts of the dispute referred to him. In para 42, the Learned Presiding Officer gave the rationale for his decision to fix the cut off year and the cut off date. In para 43, the Tribunal again mentioned the distinction between the workmen doing part-time work on regular basis and those doing part-time work as badlis and specifically mentioned that whenever reference to part-time workmen was made, it was only to regular part-time workmen unless the context otherwise warranted.

12. In paragraphs 44 to 47, the learned Presiding Officer gave directions in respect of formation of pools. He also directed that pools should be prepared division wise and prescribed procedure to be followed for formation of the pools. He also issued guidelines in that behalf. He directed that three different pools for Badli, Temporary and Part-time workmen should be prepared for persons in the employment of the Corporation from the commencement of the cut-off period of 1-1-1982. He laid down that "For all those persons who have worked therefor, from 1-1-1982 with the Corporation till the date of reference, namely 20th May, 1985 and thereafter till the date on which certain orders to which I shall presently make a reference were passed directing that existing employees' services should not be terminated, such lists should be prepared, for each category of workmen." He further directed that "in calculating the number of days worked, worked days only upto the date of reference should be counted", thus nullifying the advantage which some workmen had obtained on account of the interim orders. In respect of workmen who had worked in different names and different capacities, he gave specific directions. It was also directed that the pool should be made in accordance with the seniority, the seniority being counted in terms of the days alone and not in the capacity in which the person worked. In other words, if a person has worked in two capacities, then the total number of days for which he has worked in both the capacities should be treated as number of days for which he has worked and should be taken for seniority and ranking and not separately for the class or kind of work which he has done.

13. Paragraph 48, deals with the formation of zonal committees for screening for purposes of absorption of the workmen whose names are included in the lists (Pools). As much controversy centres round the question of desirability and suitability into which the screening committees are expected to go into, it would be worthwhile to reproduce paragraph 48, which reads as follows:—

"After such lists are prepared and pools are formed for a division, the Corporation should appoint a screening committee which would go into the question of desirability and suitability of such pooled employees for purposes of their absorption in regular service of the Corporation. These screening committee should be formed for each of the five zones of the Corporation, Presided over by Zonal Managers or officers nominated by them not below the rank of a Deputy Zonal Manager from that zone, for the purposes of concerned workmen in all the divisions in that zone. He would be assisted by two other officers nominated by the Corporation from other zones and preferably those who have

not worked in that zone, not below the rank of a Secretary. The Divisional Pools which would be formed, will be consolidated and sent to the screening committee for purposes of deciding upon the desirability and suitability of the employees. The screening committee may, if it so considers, advisable in a given case require the workman to take a test in the light of the workman's possible later absorption in higher categories of employment with the Corporation." (Emphasis supplied).

14. In paragraphs 49 to 54, the learned Tribunal considered the question of prescribing a minimum number of qualifying days for being absorbed. After considering the trial suggestions, the learned Tribunal fixed 85 days in a period of two years as a qualifying period for class-III employees and 70 days in a period of three years for class-IV employees.

15. As regards guidelines to the Screening Committee, the learned Tribunal observed as follows in para 55. I am quoting this paragraph because the management as well as the unions are relying on this paragraph in support of their rival contentions.

"As regards guidelines to the screening committee, it is not possible to lay down when a person can be considered as suitable or desirable. Senior Officers with experience are to form the committee and can be trusted to apply the relevant considerations and tests. It should however be understood that the test is not for keeping people out but to eliminate is such who would in future pose problems in administration. It is obvious that in their cases the corporations normal qualifications for eligibility are inapplicable." (Emphasis supplied).

16. In paragraph 56, the learned Tribunal gave specific directions about preparation of final lists of workmen for being absorbed. He directed that if the screening committee considers a workman to be undesirable or unsuitable, his name should be removed from the pool. He would not thereafter be entitled to any consideration for employment with the Corporation. The learned Tribunal also laid down that the screening committee should prepare and publish a list according to seniority of concerned workmen, who in its opinion in that zone divisionwise are suitable and desirable for employment with the Corporation, and such workmen, according to their seniority should be absorbed against vacancies which existed with the Corporation as on 31-3-1985 and which may arise subsequently, until the list of accepted suitable candidates from the pools is exhausted. Till such time the lists are exhausted, the Corporation should not recruit outsiders in that particular division.

17. In paragraph 57 however, the learned Tribunal observed that it was not possible nor appropriate or proper to determine or direct the Corporation to create any vacancies or posts for such employees. The question of determining the actual number of posts required for the work of the Corporation was left to the decision of the Corporation by the learned Tribunal. However, the Corporation was directed to undertake exercise in the light of the facts pointed out and indicated by the Tribunal in the foregoing paragraphs of the award and decide and determine the additional vacancies and posts which the Corporation should create with a view to obviate and stop for all time hereafter the employment of badli workmen and temporary workmen, if possible.

18. In paragraph 58, the learned Tribunal accepted the position that the institution of part-time employees has to be suffered for some more time and that it was not possible to completely do away the temporary employment. He therefore directed the Corporation to consider and devise ways and means of converting part-time workmen into full-timers by providing employment to them on full-time basis, and that temporary employment should not be for a period of less than one month and should be from amongst the left over employees from the pools and lists of temporary workmen selected by the screening committee.

19. Paragraph 59 contains various final directions. They are as follows :—

"After the screening committee has prepared lists of such suitable candidates and the Corporation has determined and fixed the number of posts and vacancies which it has for purposes of being filled, if there is any excess of suitable candidates selected by the screening committee and included in the list, then they should be continued to be maintained in the pool for being employed for temporary purposes of the Corporation at a later stage. However, such a list should be confined, as far as possible to the minimum so that such unfortunate employees know clearly what are the prospects of their future absorption and should look after pastures elsewhere and not continue to hang on a remote possibility or future doubtful prospect of being absorbed in the Corporation's service."

20. In paragraph 60, the learned Tribunal fixed a time schedule for completing the work of absorption and directed that the work should be over within 6 months from the coming into force of the award.

21. In paragraphs 61 to 64, the learned Tribunal dealt with the question of wages and other conditions of service of part-time, temporary and badli workmen.

22. In paragraph 65, the learned Tribunal expressed the hope that in the light of the directions given in the award with regard to absorption and creation of additional posts by the Corporation, there would be no occasion in future for the Corporation to employ workmen in temporary and badli categories excepting for occasional and temporary increase in work which necessitates employment of temporary staff.

23. In paragraph 67, the learned Tribunal specifically observed that retrospective effect has to be given to the award from 1-1-1982.

24. As mentioned above, the Central Office of the Life Insurance Corporation issued circulars dated 17th September, 18th September, 19th September, 1986, 26th September, 1986, 22nd October, 1986 and 23rd February, 1987 for the purpose of implementation of the award, putting its own interpretation on the directions given in the award.

25. Circular dated 17th September, 1986 was issued in furtherance of circular dated 12th March, 1986, which contained instructions in the matter of making temporary appointments in the light of the interim orders passed by the Tribunal and for reviewing the same in the light of the final award of the Tribunal, on the following terms :—

- (i) If the workman employed on temporary basis is found eligible for consideration of his case for absorption in terms of the Award, the temporary appointment so made need not be terminated only on the ground that such a workman had worked for 85 days. His temporary appointment may be continued for the duration of the vacancy against which he was employed or until his case for selection is decided by the Screening Committee. A letter to this effect will have to be issued to such workmen immediately.
- (ii) In case the workman employed on temporary basis is not eligible for absorption under the Award, the temporary appointment so made should be terminated forthwith irrespective of his undertaking in terms of our aforesaid circular. After termination of such temporary appointment the vacancy if necessary, be filled in on temporary basis by selecting a workman who is found to be eligible for absorption in terms of the Award keeping in view the length of his service and his availability at the station at which vacancy has to be filled in, until final selection of the candidates has been made by the Screening Committee in terms of the Award and the vacancies are filled in by the selected candidates. In the appointment letter issued to such candidates a clause reading as under may be incorporated.

"This appointment is being given to you purely on temporary basis and it is liable to be terminated without notice as soon as a suitable candidate from among the eligible candidates is selected for the post."

- (iii) It is quite possible that some of the Offices under your control might have initiated the recruitment process and have held the test or have placed the candidates on the ranking/waiting list. In the light of the directions given in the Award, we cannot go ahead with this recruitment as only those who are found to be eligible in terms of the Award will complete for selection. It would, therefore, be necessary for our Offices to give suitable intimation to such candidates apprising them about this development and asking them to stake their claim if they are eligible in terms of the Award for selection along with other eligible candidates."

In the letter which was to be issued to such candidates it was stated that in case the candidate was found eligible for absorption, he would have to appear for a written test/interview for selection.

26. Circular dated 18th September, 1986 contained detailed instructions in respect of determination of vacancies, formation of pools, constitution of the screening committees and their functions and preparation of panels of candidates to be absorbed against the existing vacancies in the first instance and future vacancies as and when they occur. The Divisional Offices were directed to determine the number of vacancies in sanctioned posts in each cadre specifying the number of vacancies reserved for SC/ST as per rules and the divisional offices were directed to go ahead with the normal recruitment to such cadre only if no workmen was involved as per the Award in any of the cadres. As regards formation of pools, it was directed that only employment from 1-1-1982 to 20th May 1985 should be considered for the purpose of eligibility and only those class-III employees who worked for 85 days in a period of two consecutive calendar years from 1-1-1982 and only those class-IV employees who worked for 70 days in a period of three consecutive calendar years from 1-1-1982 in their own name, and not in any other fictitious name, should be considered eligible for inclusion of their names in the pools. It was also directed that only those applications which were received before 7th of July, 1986 should be considered.

Following directions were issued in relation to the powers and functions of the screening committees.

- (1) to (4)
- (5) "The Committee will ascertain the desirability and suitability of the workmen in the Pool subjecting them to a suitable test, wherever applicable and an interview."
- (6) "Only those workmen who satisfy the Corporation's normal qualification for eligibility as laid down in the Recruitment Instructions, 1979 would be considered for inclusion in the panel. Relaxation in age, if necessary, may be granted by the Screening Committee."
- (7) The candidates not found suitable by the Screening Committee should removed from the Pool."
- (8) "A panel will be prepared out of those candidates selected by the Screening Committee

in the manner explained hereinafter and will be absorbed against existing vacancies in the first instance and remaining to be absorbed against future vacancies as and when they occur."

The Screening Committee was expected to work on the following lines.

- (i) A written test will have to be held on the same lines as has been provided for in the Recruitment Instructions 1979 for the category of Peons in Class IV and Assistant, Typists and Stenographers etc. in Class III.
- (ii) The test will be conducted by the respective Divisions. Necessary arrangement for setting of question papers and evaluation of answer papers will be done by the Screening Committee.
- (iii) All those who satisfy the eligibility conditions, as above, should normally be subjected to the written test/interview. Where, however, the number of such workmen is very large or unmanageable, the Screening Committee may restrict the number of candidates to be called for the test/interview to 10 times the number of vacancies in each cadre. This restriction may be followed as per our normal Recruitment Procedure for Class III cadres and for Class IV on the basis of the number of days worked.
- (iv) As soon as the results are declared, the Screening Committee should arrange for the interview of the successful candidates and publish the ranking list of those who are found suitable.
- (v) Appropriate representation for the candidates belonging to the reserved categories will have to be given. The relevant roster point should not be filled in if no candidate belonging to the respective category is found suitable by the Screening Committee.
- (vi) The process of selection of workmen for absorption against vacancies should be completed as expeditiously as possible and the selected candidates should be posted against available vacancies. Remaining selected candidates may be kept on the waiting list to be absorbed against future vacancies in sanctioned posts or to be appointed against temporary vacancies, as and when they arise. Care, however, should be taken to see that such a list should be confined as far as possible, to the minimum so that such candidates know clearly what their future prospects of absorption are and they should look for pastures elsewhere and not continue to hang on the remote possibility of absorption."

By circular dated 19th September, 1986, all Zonal Managers and Officers in-charge of divisions were informed that it is necessary to obtain the approval of

the Central Government for implementing some of the provisions of the award under S. 48 of the LIC Act, 1956, that a communication in that behalf was expected from the Ministry of Finance of the Government of India and that clearance will be given to go ahead with the selection of the candidates on receiving such a communication from the said Ministry and they should go ahead with the selection of candidates for filling up the vacancies only after getting the clearance and till then they should complete the work of preparation of pools.

28. Circular dated 25th September, 1986 was issued in furtherance to the earlier circular dated 18th September, 1986 and contained some more instructions for finalising the lists of eligible candidates. It was a secret communication addressed to Senior D.M./D.M.S. They were asked to prepare lists as per the enclosed proforma separate list to be prepared for eligible and ineligible candidates, based on the number of days worked for each category in the class-III and class-IV posts. Specific directions were also given as to how to make entries in the proforma. One of the instructions was that if the period of absence if any candidate during the period of his temporary appointment was treated as E.O.L. the same should be excluded for the purpose of eligibility and also for the purpose of arriving at the number of days worked. It was also directed that if any eligible candidate did not possess the requisite age, but if he is otherwise eligible based on number of days worked, he should be included in the list and that such cases will be examined by the screening committee. In respect of part-time employees, it was directed that the list should be prepared on the basis of the number of days worked on part-time basis and not on the basis of hours worked. The above-mentioned officers of the Corporation were also informed that regarding declaration of vacancies, the sanction of cadre strength for various offices is under examination and they would be informed after the same is finalised. Annexure to this circular contained guidelines for eligibility for formation of pools at divisional level. The guidelines for eligibility are as follows :—

“ELIGIBILITY :

1. Those who worked only during the period from 1st January 1982 to 20th February, 1985 in any capacity such as temporary/badli and in regular cadres such as peon, watchman, liftman, sweeper, hamal, typist, steno, assistant, etc. having regular scale of pay, should be considered.
2. Days of engagement such as coolies, hamals, etc. for specific jobs like shifting of furniture, cleaning of records, etc. should not be counted both for the purpose of eligibility or seniority. This problem might arise only in respect of Class IV cadres and in those cases only the number of days for which the wages have been paid at the minimum of the scale in the cadres mentioned above should be counted. (C.O circular dated 22-7-85 under ref. ZD/591).

3. The Award does not cover the workmen engaged by the so-called contractors such as Tenants Association, Licencee's Association, any other outside agency or the Security Guard Boards. Similarly, it is not applicable to the workmen engaged by the Corporation on work charged basis specifically for the project works. Their cases, therefore, need not be considered.

4. Consecutive Years.

Class IV : 1982, 1983, 1984 OR
1983, 1984, 1985.

Class III : 1982, 1983 OR
1984, 1984 OR
1984, 1985.

5. Qualifying No. of days : The actual number of days worked only for which wages have been paid should be counted.”

The guidelines in respect of formation of pools inter-alia directed that those who worked only on part-time basis will be considered for absorption only against part-time vacancies, and those who worked as temporary and/or badli in regular cadre such as Peon, Watchman, Liftman, Sweeper, etc. will have to be asked to opt for one of the categories listed above, provided they are eligible for employment in such a category.

29. The circular dated 22nd October, 1986 was issued by the Executive Director (P) to the Zonal Managers and Officers-in-charge of Divisions in respect of some clarifications sought by some of the offices of the Corporation in the matter of implementation of the award in question. It was clarified that 6th July, 1986 being a holiday, applications received from the concerned workmen upto and inclusive of 7th July, 1986 may be accepted and where 7th July was also holiday applications received upto and inclusive of 8th July, 1986 may be accepted. It was also directed that applications received prior to the date of publication of the award may also be accepted. The circular also laid down guidelines for formation of pools for part-time workers, substitute part-time workers and gardeners/guest-house attendants, etc. As regards tests to be taken, the following guideline was issued.

“Written Tests are to be held strictly in accordance with the Recruitment Instructions 1979. Accordingly, there will be separate papers for written tests in English for posts of Assistants and the Typists/Stenographers, etc.”

30. Circular dated 25th February, 1987, which was issued in furtherance of circular dated 18th September, 1986, contained instructions in respect of wages and other conditions of service, namely, leave, medical benefits, provident fund, gratuity, normal grade increments etc. of all the workmen covered by the Award in Reference No. NTB-1 of 1985. It was made clear in the circular that the benefits mentioned in the guidelines were to be given to the temporary

badli and regular part-time workmen with effect from 1st January, 1982 or from the date of appointment, if later, it also directed all officers to review the cases of the concerned workmen and arrange to give them the benefits in accordance with those instructions.

31. The All India India Insurance Employees Association (AIIEA), and Western Zone Insurance Employees Association (WZIEA) filed combined statement of claim on 16-7-1987. The Central Zone National Life Insurance Employees Association (CZNLIEA) filed its statement of Claim on 29-6-87 and supplementary statement of claim on 20-7-1987. The Akhila Bharatiya Jeevan Bima Nigam Chaturtha Shreni Karmachari Sangh filed its statement of claim on 29-6-1987. The National Organisation of Insurance Workers, All India Life Insurance Corporation Employees Federation and All India National Life Insurance Employees Federation (INTUC) also filed separate statements of claim. The Life Insurance Corporation filed its written statement on 20th July, 1987 on merits of the reference generally and also filed written statements in reply to the statements of claim of CZNLIEA, Akhil Bharatiya Jeevan Bima Nigam Chaturth Shreni Karmachari Sangh, AIIEA and WZIEA, NOIW, AILICEF and AILIEA. As the statements of claims filed by the various unions and the written statements and rejoinders filed by the management contain, so far as the scope of the present reference is concerned, namely interpretation of the various provisions of the award and examining in the light of these provisions, the legality of the various circulars issued by the Corporation for implementation of the said award, it would be appropriate to deal with rival contentions vis-a-vis correct interpretation of the terms of the award while interpreting various provisions of the award. As the question of non-implementation of the award or modification of the award is outside the scope of a reference under S. 36-A of the Industrial Disputes Act, contentions in this behalf need not be referred to and hence, in my view, it is not necessary to enumerate in detail separately the contents of the statements of claim filed by the various unions and the written statements and rejoinders filed by the Corporation. It is not that the non-implementation or wrong implementation of the award is totally irrelevant. That aspect is very much relevant, but to a very limited extent, i.e. for the purpose of ascertaining whether the non-implementation or wrong implementation is on account of wrong interpretation put by the corporation on the provisions of the award.

32. The Life Insurance Corporation has canvassed some propositions which are in the nature of preliminary objections. It would therefore be necessary and appropriate to first deal with them as according to the Corporation, these questions go to the root of the matter and bars at the very threshold the question of interpretation of the award. Shri M. V. Paranjape, the learned counsel for the Corporation stated these propositions as follows :—

- (1) In as much as the Award dated 17-4-1988 of the Hon'ble Dr. R. D. Tulpule has merged with the judgement of the Hon'ble Mr.

Justice Pendse in Writ Petition No. 1801 of 1986, there is no Award as contemplated by Secy. 36-A of the Industrial Disputes Act, 1947 for interpretation and consequently the present reference is bad in law.

- (2) Since the reference contemplates adjudication on the question as to whether the Corporation has power to issue circulars and guidelines the reference is outside the scope and ambit of sec. 36-A.
- (3) The subject-matter of the reference is not an industrial dispute as contemplated by the Industrial Disputes Act and therefore the reference is bad in law.
- (4) Without prejudice to the aforesaid submissions, inasmuch as the Hon'ble Mr. Justice Pendse has interpreted the Award in Writ Petition No. 1801 of 1986 that interpretation is binding between the parties as resjudicata and none can go behind the said judgement.
- (5) Without prejudice to the aforesaid submissions, at any rate since the judgement of the Hon'ble Mr. Justice Pendse is an interpretation of the Award dated 17-4-86 it is binding at least as a precedent of a superior Tribunal and this Hon'ble Tribunal cannot go behind the said judgement.
- (6) Without prejudice to the aforesaid submissions, since the workmen represented by all the unions had categorically admitted in no uncertain terms before the Hon'ble Mr. Justice Pendse that the interpretations of the Award by His Lordship is correct and since on the basis of such interpretation the unions got the writ petition filed by the Corporation dismissed they are estopped from agitating the present Reference.
- (7) At any rate the workman cannot approbate and reprobate in view of the aforesaid judgement of the Hon'ble Bombay High Court.

33. As mentioned above, the Corporation had filed Writ Petition No. 1801 of 1986 before the Hon'ble Bombay High Court challenging various provisions of the Award in NTB-1 of 1985. This Writ Petition was dismissed in limini by the High Court. It is therefore, contended on behalf of the Corporation that the award in NTB-1 of 1985 has merged with the judgement of the Hon'ble Justice Pendse in the said writ petition and hence there is no award as contemplated by the S. 36-A of the Industrial Disputes Act for interpretation. In support of this contention, reliance is sought to be placed on the decision of the Supreme Court in the case of Shankar Ramchandra V/s. Krishnaji Dattatraya Babat (AIR 1970 Supreme Court p. 1) and on the decision of Bombay High Court in Attarsing and others V/s Nanded Gurudwara Sach Khand Shri Huzur Apachalnagar Saheb Board reported in AIR 1981 Bombay, 0.24.

24. In *Shankar V/s. Krishnaji* (Citation Supra) the Supreme Court held that "where, on its revisional jurisdiction being invoked against the order of the appellate court under the Bombay Rent Act, the High Court dismisses the revision, after hearing both the parties, the order of the appellate court becomes merged with the order made in revision, and thereafter the appellate order cannot be challenged or attacked by another set of proceedings in the High Court under Art. 226 or 227 of the Constitution."

35. The second decision does not specifically deal with the question of merger of the order of the trial court with the order of the appellate Court. It deals with the question of judgement rendered by the competent court like the High Court in Writ Petition being binding on the parties and operating as res-judicata. It will be referred to while dealing with the arguments on that point.

36. The doctrine of merger of the order of the lower Tribunal with the order of the Higher Tribunal has limited application and depends on the scope of the proceedings in the Higher Tribunal and the scheme of the statute governing the proceedings in the Lower Tribunal. Looking to the scheme of the Industrial Disputes Act, it is clear that the doctrine is not applicable to an award passed in a reference under S. 10 of the Industrial Disputes Act. In the case of an industrial dispute, what is binding on the parties and what is to be implemented is the award of the Industrial Tribunal. If the award is not modified and the challenges to the award are rejected by the higher courts what is expected to be implemented and what is binding on the parties is the original award of the Tribunal. Even if the award is modified by the higher Tribunals still what falls for implementation and what is binding on the parties is the award of the Tribunal as modified by the Higher Tribunals.

37. An award under S. 17-A becomes enforceable on the expiry of 30 days from the date of publication under S. 17 and shall be binding on all parties to the industrial dispute under S. 18(2) and (3). Under S. 23(C) no workman, who is employed in an industrial establishment shall go on a strike in breach of contract and no employer of any such workmen shall declare a lock out when an award is in operation in respect of any of the matters covered by the award and any strike or lock out in contravention of S. 23 should be considered as illegal under S. 24 of the Act. Any person who commits any breach of an award, is liable to be punished with imprisonment or fine under S. 29 of the Act. S. 33-C of the Act authorises the workman to make an application to the appropriate Government for the recovery of money due to him under an award and if the appropriate Government is satisfied that any amount is so due, it shall issue a certificate to that effect to the Collector, who shall recover it from the employer as arrears of land revenue. This position flows from the very scheme of the Industrial Disputes Act.

38. As laid down in S. 17-A(1), an award becomes enforceable on the expiry of thirty days from the date of its publication. But if the appropriate Government is of the opinion that it will be in-expedient

on public grounds affecting national economy or social justice, to give effect to the whole or any part of the award, it can make declaration that the award shall not become enforceable on the expiry of the said period of thirty days, and then proceed to make an order, rejecting or modifying the award. This power is specifically conferred by the proviso to sub-section (1) and sub-section (2) of Section 17-A of the Act. If the argument that as soon as a writ petition or an appeal is preferred to the Higher Tribunal, the award ceases to exist, is accepted, then it would mean that if the award is confirmed or modified by the Higher Tribunals, the appropriate Government would not be competent to exercise the powers conferred by the proviso to sub-section (1) and sub-section (2) of Section 17-A, even if in the opinion of the said Government it will be in-expedient on public grounds affecting national economy or social justice to give effect to the whole or any part of the award. The power conferred by these provisions can be exercised even if and even after the award is confirmed or modified by the Higher Tribunals. To hold therefore that once a writ petition or appeal is preferred to the Higher Tribunal the award merges with the order of the Higher Tribunal and cases to exist will be completely repugnant with the scheme of the Act and would lead to an absurd and damaging situation of wiping out the entire award of an Industrial Tribunal by merely filing a writ petition or any other appropriate proceeding in the High Court or the Supreme Court, rendering all the provisions of the Act about implementation of the Award completely nugatory. Such a situation is neither contemplated by the statute nor can be allowed to develop. An award of the Tribunal does not merge with the judgement of the higher court and it remains to be an award of the Industrial Tribunal. The said award subject to the modifications if any made by the Higher Tribunals is binding on the parties enumerated in S. 18 and can be a subject matter of interpretation under S. 36A of the Industrial Disputes Act.

39. An identical objection was raised before the Calcutta High Court in the case of *National Tobacco Co. v/s. Firm Industrial Tribunal* (1974 11 LLJ p.399). In the *National Tobacco Co.*, the Petitioner in that case raised an objection to the maintainability of a reference u/s. 36-A on the ground that the award had merged with the judgement of the Supreme Court and therefore the reference under S. 36-A was incompetent. Rejecting this contention, learned single judge of the Calcutta High Court relying on the decision of the Supreme Court in the case *State of Madras V/s. Madurai Mills Co. Ltd.* (AIR 1967 S.C 581) observed that the doctrine of merger is not a doctrine of rigid and universal application and it cannot be said that wherever there are orders one by an inferior Tribunal and the other by a Superior Tribunal on appeal or revision, there is a merger of two orders irrespective of the subject matter of the appellate or revisional order and the scope of the appeal or revision contemplated by the particular statute. Reference was also made in that case to the decisions of the Privy Council in *Batuk Nath V/s. Munni Dei* (41 Indian Appeal 104) and *Jawal Hussain V/s. Gendan Singh* (53 Indian Appeal 197)

and also the decisions of the Supreme Court in State of Uttar Pradesh V/s Md. Nooh (AIR 1958 SC 86) and CIT Bombay V/s. Amritlal Bhogila & Co. (AIR 1953 SC 868). The learned Judge went on to observe that "If the contention made by the learned counsel for the petitioner is accepted, in a case where an award of an Industrial Tribunal is the subject-matter of an appeal under Art. 136 of the Constitution and is modified or confirmed by the judgement of the Supreme Court, the machinery provided under the Act for the settlement of industrial dispute and the enforcement of the decision of the Industrial Tribunal cannot be availed of because the award has ceased to be an operative award. Such a construction not only is inconsistent with but is repugnant to the very scheme and object of the Act."

40. The second and the third propositions really do not arise at all. None can question the general power of the Corporation to issue circulars and guidelines for implementing an award. Though the manner in which the reference is drafted and the peculiar wording thereof give an impression that the Government wanted this Tribunal to consider the general competency of the Corporation to issue circulars and guidelines to its officers for implementing an award, in effect, and in view of the scope and ambit of S. 36-A of the Industrial Disputes Act, what the Tribunal is expected to do in exercise of the jurisdiction under S. 36-A of the Industrial Disputes Act is to interpret the provisions of the award and to ascertain whether any of the instructions and guidelines contained in the circulars issued by the Corporation for the purpose of implementation of the award in question, are in any way inconsistent with the provisions of the award. It cannot be disputed that the Corporation would not be competent to issue instructions and guidelines dehors the provisions of the award.

41. Subject matter of a reference under S. 36-A need not necessarily be an industrial dispute itself. The subject matter of a reference under S. 36-A is an award and the reference is made for interpreting the provisions of the said award. It is not disputed that what this Tribunal is called upon to interpret is an award within the meaning of S. 2(b) of the Industrial Disputes Act. Moreover, dispute about interpretation of an award relating to an industrial matter is also an industrial dispute within the meaning of S. 2(k) of the Industrial Disputes Act. Propositions 2 and 3, therefore, are devoid of any substance. Shri M. V. Paranjape, the learned counsel for the corporation therefore fairly conceded that these propositions do not arise in this reference.

42. Very lengthy arguments were advanced and several authorities were cited by the parties in support of the rival contentions in respect of the judgement delivered by the learned single Judge (Pendse, J.) while disposing off the writ petition filed by the Corporation challenging the award on various grounds. According to the Corporation, interpretation made by the learned judge is binding between the parties as res judicata and on the Tribunal as precedent of the superior Tribunal and hence this Tribunal cannot interpret the provisions of the award in any manner different from the interpretation put by the learned Judge of the High Court.

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43. As mentioned above, the Writ Petition preferred by the Corporation was dismissed in limini. The learned Single Judge declined to exercise jurisdiction under Art. 226 of the Constitution on the ground that the award was one in invitum. In the first paragraph of the oral judgement itself, the learned Judge made it clear that he was writing a short order as he proposed to dismiss the petition summarily.

44. Before the High Court the Respondent unions raised preliminary objection to the maintainability of the petition on the ground that the award was one in invitum and the Tribunal had declared the award after consensus was reached between the Corporation and the various unions. The unions also contended that it was unfair and improper on the part of the Corporation to file the petition after accepting the suggestions made by the Tribunal which led to the passing of the Award. The learned Single Judge found considerable merit in these submissions. He also quoted some of the observations of the Tribunal in this behalf and proceeded to observe as follows :—

"It is unfortunate that the Corporation whose spirit in accepting the suggestions for expeditious resolution of the dispute was applauded by the Tribunal has adopted the present proceedings by going back on the assurance given before the Tribunal. Shri Paranjape very rightly did not challenge the observations made by the Tribunal in the above-mentioned paragraphs of the Award. As the Award, obviously, is one in invitum, it is not permissible to challenge it by filing present petition and in any event, I am not inclined to entertain the same in exercise of writ jurisdiction under Article 226 of the Constitution of India."

45. It was after declaring that the Writ Petition was being dismissed in limini, that the learned Judge enquired with the learned counsel appearing for the Corporation about the specific provisions of the award which were not acceptable to the Corporation and observing that "it is desirable to deal with them so as to avoid any further litigation" went on to reject the challenges on by one, after giving reasons. Only one of the challenges and the interpretation of the award and observations made by the learned Single Judge in that behalf are relevant for the purpose of this reference because, according to the Corporation, those observations operate as res judicata, in respect of the interpretation of the provisions of the award on that subject. The observations, which are invoked by the Corporation for supporting the contention of bar of res-judicata are in respect of normal qualifications of eligibility. These observations are contained in sub-para 2 of para 4 of the judgement in Writ Petition No. 1801 of 1986. It would be appropriate to quote these observations.

"Shri Paranjape then urged that in paragraph 55 of the Award, the Tribunal has made observation that the screening committee should take into consideration the qualifying period fixed by the Tribunal and the normal qualifications for eligibility are inapplicable. The learned counsel urged that the effect

of this observation is that the Corporation would be bound to absorb the workmen even if they do not possess the educational qualifications or even if they are physically unfit. It is impossible to suggest that the Tribunal desired to convey that normal qualifications for eligibility like educational qualifications or physical fitness should be abandoned by the Corporation. The observation of the Tribunal is limited in respect of the qualifying period and the learned counsel for the Unions did not even dispute this interpretation."

46. It is contended on behalf of the Corporation that so far as the question of normal qualifications for eligibility are concerned, this interpretation on the provisions of the award conclude the issue, that this interpretation is binding on the parties to the award and any other interpretation of the provisions of the award on this subject is barred by *res judicata*.

47. In Attarsing's case which is relied upon by the Corporation in support of the above proposition (citation *supra*), the appellants were directed by the Atiyat Courts by orders passed under S. 3-A of the Hyderabad Atiyat Enquiries Act, to deliver possession of the suit lands to the Respondent Board. Their appeals under the Act having been dismissed they invoked the writ jurisdiction of the High Court, contending inter alia that the Authorities under the Act were not competent to pass the order for possession in the inquiries held under S. 3-A of the Act. The High Court negatived the contention and disposed of the writ petitions. The appellants filed suits for declaration that the orders passed by the Atiyat Court were without jurisdiction. The Trial Court, came to the conclusion that in view of the earlier litigation and competent decisions, the suits were barred and the appellants were not entitled to re-agitate the same questions. The High Court upheld the finding observing as follows :—

"It is well settled that judgement rendered by competent courts like the High Court in writ petitions are bindings on the parties and operate as *res judicata* so that the same questions cannot be the subject matter of any other action like the suits."

This decision however cannot be of any avail to the Corporation to support the argument that the interpretation put by the High Court on the provisions of the award operates as *res judicata* against all parties to the writ petition. Firstly because the writ petition was dismissed in limine, the learned judge declining to exercise the jurisdiction under Art. 226 of the constitution on the ground that the award being in invitum, cannot be challenged. Though the learned judge dealt with the challenges to the award made by the corporation, did not dismiss the petition on merits. Shri Sen Gupta the learned counsel for AIEA and WZIEA relying on the decision of the Supreme Court in *State of Orissa V/s. Sudhansu Shekar Gupta and others* (AIR 1968 Supreme Court p. 647) rightly urged that a decision is only an authority for what it actually decides. What is of the essence in a decision is its ratio and not every

observation found therein nor what logically flows from the various observations made in it. In Attarsing's case the High Court had held on merits that the Atiyat Court were competent to pass the impugned orders. There was no decision on merits in the writ petition in question. Even if there was such a decision it was that the award was correct and there was no substance in the challenges made to it by the Corporation. The reasoning given by the learned judge for negating the challenges is not the decision and hence the reasoning cannot operate as *res judicata*. As observed by their Lordships of the Supreme Court in the case reported at AIR 1968 S.C. 647 it is not profitable task to extract a sentence here and a sentence there from a judgement and to build upon it.

48. Secondly as the writ petition filed by the management was dismissed the workmen could not have preferred an appeal against the said decision. No appeal could have been preferred by the workmen merely for challenging the interpretation put by the High Court on one of the provisions of the award, especially when the petition itself was dismissed.

49. The decision in *Vithal Yeshwant Jathar V/s. Sikandarkhan Makhtumkhar Sardesai* (A.I.R. 1963 S.C. 385) relied upon by the corporation is not applicable to the present case, because the writ petition was dismissed mainly on the ground that the award could not be challenged. In the above referred case, the final decision was based by the High Court on its decision on more than one points. It was in the context of the said position that their Lordships held that the decision on each of the points operated as *res judicata* between the parties. In the present case the Learned Single Judge proceeded to consider the challenges made by the corporation after holding that as the award was one in invitum, the writ petition was not maintainable, after declining to exercise jurisdiction under Art. 226 and declaring that the petition was being dismissed in limine. The reasons given and the interpretation put on the provisions of the award were not the basis for the ultimate decision of dismissing the petition. For the same reasons the ratio of the decision of the Full Bench of the Allahabad High Court in *Lakmanan Prakash V/s. Commissioner, Income Tax, U.P.* (A.I.R. 1963 Allahabad 172) is inapplicable to the present case.

50. Reliance was also placed by the Corporation on the decision of the Supreme Court in *The Virudhunagar Steel Rolling Mills Ltd. V/s. The Government of Madras* (A.I.R. 1968 Supreme Court). It was held in that case that where a writ petition under Article 226 is disposed of on merits and the order of dismissal of the petition is a speaking order, that would amount to *res judicata* and would bar a petition under Art. 32 on same facts irrespective of whether a notice was issued to the other side or not before such decision. This decision does not support the plea of bar or *res judicata* raised by the corporation in the present case. It was not laid down that such a decision operates as *res judicata* against the other side also. Moreover such decision must be on merits. As observed by me above in the present case the decision of the High Court was not on merits.

51. Shri Sen Gupta placed reliance on the decision of the Supreme Court in workmen of Dodsai Pvt. Ltd. V/s. Dodsai Pvt. Ltd. and another (AIR 1979 S.C. 1072) in support of his contention that the interpretation put on the award by the High Court is not binding on this Tribunal. In that case on reference to the Industrial Tribunal of its earlier award, as modified by the settlement in the Supreme Court, for interpretation, the Tribunal gave its own interpretation of the Award. The High Court reappraising the material gave its own interpretation of the award and displaced the interpretation given by the Tribunal. Reversing this decision their Lordships of the Supreme Court observed as follows :—

“We do not think that, the High Court was justified in reappraising the material and in seeking to give its own interpretation of the earlier award as if the High Court was exercising appellate powers over the Industrial Tribunal. The interpretation of the earlier award was within the competence of the Industrial Tribunal and the High Court was not right in seeking to displace that interpretation merely because another interpretation was also possible.”

It is true that in that case the writ petition was filed after the Industrial Tribunal interpreted its earlier award on a reference for that purpose, while in the present case the interpretation was given by the High Court before this Tribunal was called upon to interpret the award. That however would not make any difference because the principle underlying the decision is that the Industrial Tribunal is competent to interpret its earlier award and the High Court is not justified in displacing that interpretation because another interpretation of the award is possible. The competency of the Tribunal to put its own interpretation on the award in a proper reference made for that purpose is not affected by the fact that the High Court had already interpreted the award in a writ petition challenging some of the provisions of the award. The earlier interpretation of the High Court would not operate as a bar of res judicata nor would prevent the Tribunal to put its own interpretation on the award in a reference under S. 36-A of the I.D. Act.

52. There is no substance in the contention that the workmen are estopped from contending that normal qualifications of eligibility are not relevant for the purpose of absorption. It was never the case of the workmen that normal qualifications of eligibility are relevant for the absorption of the workmen governed by the award in question. No such argument was advanced on behalf of the workmen before the High Court. They did not seek to get the writ petition dismissed on the basis of such a plea. As can be seen from the judgement in the writ petition that the only thing the counsel for the unions did was that he did not dispute the correctness of the interpretation of paragraph 55 of the award by the learned single judge. The counsel for the unions did not seek to interpret the said provision nor tried to persuade the learned single judge to interpret paragraph 55 in a particular manner and to dismiss the petitioner to

reject the challenge made by the corporation to the said provision, on that interpretation. It is also not correct to say that the interpretation was sought by all the parties to the writ petition. The unions did not, and in view of the declaration made by the learned single judge that the petition was being dismissed in limine as the award was one in invitum, the unions were not expected to, seek interpretation of any of the provisions of the award. Moreover as observed above the writ petition was not dismissed on merits.

53. There was also no question of the parties accepting the correctness of the interpretation made by the learned single judge. The interpretation was not based on any concession made by the parties. Nor had the unions tried to persuade the judge to make such interpretation of the relevant provision.

54. The application for speaking to the minutes did not alter the position. Purpose of speaking to the minutes is to correct any mistake in the judgement, in respect of what is actually decided. Clarification was sought by the unions on three points, pointing out the position in the award and observations in the judgement on those points. We are here concerned with point No. III. In the award the Tribunal had observed “it should however be understood that the test is not for keeping people out, but to eliminate such who would in future pose problems in administration.” The observation in the judgement in respect of which clarification was sought was as follows :—

“It is impossible to believe that the Tribunal desired to convey that normal qualifications for eligibility like educational qualifications, or physical fitness should be abandoned by the corporation.” In the note on point III the unions stated as follows :—

“The discussion on the point No. III as understood by the first and second Respondents was with regards to class-III namely clerical. The arguments on behalf of the petitioner were for class III and no arguments were for class IV, such as sweepers, watchman, Peons, Hamals Liftmen, Pumpmen, Coolies, Watermen etc.” The unions wanted to bring to the notice of the learned single judge that the arguments advanced by the corporation about normal qualifications was in the context of class III employees only and hence the observation in the judgement was expected to be in respect of class III only. As the observation in the judgement was sweeping enough to be applicable to claims IV employees also, a clarification was found necessary. This does not mean that the unions accepted the correctness of the interpretation of the award on point No. III, in respect of class III employees and only disputed its correctness vis-a-vis class IV employees. They just wanted the learned judge to clarify the position because according to them the observation was restricted to class III employees, vis-a-vis whom the arguments were advanced.

55. Even assuming that the unions did not dispute the correctness of the interpretation, it does not amount to a representation on which the learned judge acted. The learned Judge did not give the interpretation because the unions were prepared to concur with him. As observed above it was never their case and it was never argued on their behalf that the award laid down that normal qualifications of eligibility were applicable. Moreover interpretation of an award is a question of law and there is no estoppel against law. The workmen therefore cannot be estopped from contending that as per the award normal qualifications of eligibility were not relevant for absorption of the employees in respect of whom the reference was made.

56. As it was never the case of the workmen that normal qualifications of eligibility prescribed by the Recruitment Rules of the corporation were applicable to the absorption contemplated by the award, that at no stage of the proceedings before the Tribunal or before the High Court the workmen had taken this plea, they cannot be said to approbate or reprobate on this question.

57. Shri M. V. Paranjape contended that once Art. 226 is resorted to S. 36-A of the I.D. Act is not available. In view of the scheme of the Act it is not possible to accept this sweeping proposition. The Government making a reference under S. 10 of the I.D. Act cannot invoke the writ jurisdiction of the High Court or the Supreme Court for challenging any provisions of the award made by the Industrial Tribunal because it is not a party to the award. The Government making the reference is bound to publish it, within the time stipulated by S. 17 of the Act unless it is of the opinion that it will be inexpedient on public grounds affecting national economy or social justice to give effect to the whole or any part of the award. If the Government forms such an opinion power is conferred on it by S. 17-A(2) to reject or modify the award. For that purpose it is not necessary to invoke the writ jurisdiction of the High Court or the Supreme Court and the only obligation cast on the Government is to lay the award together with a copy of the order passed by it in that behalf, before the appropriate legislature. Further neither any of the parties to the reference nor the appropriate government can invoke the writ jurisdiction of the High Court or the Supreme Court for clarification of or interpretation of the provisions of the award nor can the parties invoke S. 36-A of the I.D. Act for that purpose. Only the Government making the reference can make a reference under S. 36-A of the I.D. Act to the Industrial Tribunal which gave the award, in the circumstances mentioned in the said provision. The power to reject or modify the reference conferred by S. 17-A(2) and the power to make a reference under S. 36-A can be exercised by the appropriate Government even after all the proceedings taken by the parties, challenging the award come to an end and even after the award is confirmed or modified by the Higher Tribunals. The Government is not bound by the interpretation put by the Higher Tribunals in proceedings taken by the parties for challenging the provisions of the award or by the reasoning, based on such interpretation, given for confirming or modifying the award.

58. The nature of jurisdiction under Article 226 is supervisory and not appellate. Moreover the interpretation was neither a decision, nor a direction nor amounted to modification of the award even by implication.

59. As held by the Supreme Court in the case. *The Ballarpur Collieries Co. V/s. The Presiding Officer C.G.I.T. Dhanbad and another* (1972 Lab. I.C. 659 = AIR 1972 Supreme Court 1216) the legal effect of reference under S. 36-A is to reopen the earlier reference proceedings which terminated in an award though for the limited purpose of the interpretation of the provisions of the said award in respect of such difficulties or doubts as required removal. In this view of the matter, the earlier interpretation put on any of such provisions, by the Higher Tribunals would not preclude the Tribunal to put its own interpretation on the provisions of the award, which according to the appropriate government require interpretation for removal of difficulties or doubts.

60. Admittedly, the circulars in question were issued by the Corporation for implementation of the provisions of the award as the Corporation understood it. The circulars contained instructions in respect of formation of pools, computing the period of eligibility, constitution of the screening committee, its functions and powers, test to be taken for ascertaining suitability and desirability for appointment of the workmen to be absorbed. I have already quoted these instructions and guidelines contained in the said circulars, which according to the workmen are inconsistent with the provisions of the award. I have also quoted the relevant provisions of the Award and also the interim order passed by the Tribunal on 14th March, 1986. Which order is expected to be taken into consideration for interpreting the said provisions in order to ascertain whether any of the instructions and guidelines contained in the circulars are inconsistent with, or contrary to, the provisions of the award.

61. It appears that the Corporation has issued instructions and guidelines on the footing that what the award directed was not absorption, but recruitment governed by the Recruitment Rules of the Corporation. According to the Corporation, the term 'absorption' referred to at various places in the award means recruitment which must necessarily be governed by the Recruitment Regulations of the Corporation. The Corporation therefore, wants this Tribunal to approach the award in that light and interpret the provisions of the award, as if the matter was of fresh recruitment of employees, preference being given to the workmen covered by the reference. This in my view, is inverted logic and is completely inconsistent with the substance and tenor of the earlier reference. As mentioned above, the earlier reference was in respect of wages and other conditions of service of badli, temporary and part-time workmen of the Corporation and conditions of their absorption into regular cadre. Obviously, therefore, the Tribunal was expected to lay down the conditions of absorption in regular cadres of persons who are already in the employment of the Corporation as Badli, part-time and temporary workmen. Hence while giving the award, the Tribunal used the word 'absorption' in contra-distinction with the

word 'recruitment' which is also consciously used in the award in appropriate circumstances. It is pertinent to note that the award is completely silent on the question of applicability of recruitment rules, to the absorption contemplated by the award. The absorption contemplated by the award is not recruitment contemplated by recruitment rules and the provisions of the award cannot be interpreted on that footing.

62. The back-ground on which the earlier reference was made cannot also be forgotten while interpreting the provisions of the award. Large number of workmen who were employed by the Corporation as badli, temporary and part-time workmen and whose employment was restricted by the Corporation to a particular number of days in order to prevent them from gaining the status of permanency on the basis of the number of days worked, were clamouring for absorption in the regular cadres of the Corporation. The restriction on the period of employment had also led to artificial and unfair labour practices of employing some persons in different categories and in different names. Obviously the object of the reference was to put an end to such unfair labour practices and to regularise the employment of persons, who would have ordinarily been absorbed, but for these practices, and to reduce to an irreducible minimum, the disproportionately large contingent of badli, temporary and part-time workmen employed by the Corporation without any security of service.

63. As regards formation of pools, detailed instructions were given in the circular dated 18th September, 1986 and the circular dated 25th September, 1986. It was directed that only employment from 1-1-1982 to 20-5-1985 should be taken into consideration for the purpose of eligibility and only those class-III employees who had worked for 85 days in a period of two consecutive calendar years from 1-1-82 and those class-IV employees who worked for 70 days in a period of 3 consecutive calendar years from 1-1-82 in their own name, and not in any other fictitious name, should be considered eligible for inclusion of their names in the pools. As mentioned in paragraph 28 (supra) it was further directed that only those who worked during the aforesaid period as temporary/badli and in regular cadre, such as Peon, Watchman, Liftman, Sweeper, Hamal, Typist, Steno, etc. having regular scales of pay should only be considered, that days of engagement on casual basis such as coolie, hamal etc. for specific types of work like shifting of records furniture, cleaning of record, etc. should not be considered, both for the purposes of eligibility or seniority; that the workman engaged by the so-called contractors, such as Tenants' Association, Licencees' Association or any other outside agency or security guard board, or those engaged on work-charged basis specifically for the project works should not be considered and only days for which wages had been paid should be computed.

64. According to the workmen, these guidelines are inconsistent with the provisions of the award. It was contended that not only all workmen employed from 1-1-82 till the date of interim order viz. 15-1-1986 are eligible for absorption, but also the work done by them after the date of the reference,

namely 20th May, 1985 till 15-1-1986 must also be taken into consideration for the purpose of computing the number of days required for eligibility for being included in the pools. This submission was based on the printing mistake which had crept in para 44 of the award, as published in the gazette. It appears that the last sentence in this paragraph was corrected by the learned Presiding Officer. This correction was not properly reflected in the printing. As per the award as corrected, work day only upto the date of the reference were to be taken into consideration. The learned Presiding Officer specifically observed that in doing so the advantage which some workmen had obtained on account of the interim orders would be nullified. This clarification left absolutely no doubt that even though all the workmen who had worked from 1-1-1982 to 15-1-1986 were to be eligible for absorption, for counting the number of work days, the work done by them after the date of reference was to be ignored. The relevant portion of paragraph 44, as printed in the gazette does not make any sense at all.

65. As rightly contended by the workmen, the award never contemplated that while computing the number of work days, only the days of work during consecutive calendar years should be taken into consideration. The relevant directions in this behalf are contained in paragraph 54 of the Award. This is what the learned Presiding Officer specifically laid down on this question :—

"Having considered all aspects of the matter, I think that for class-IV workmen, if they have worked for a total period of 70 days during a period of three calendar years, they should be considered as eligible for being absorbed. Those who have worked for less than 70 days in any capacity and as any kind of workmen, i.e. temporary, part-time or badli, should not be eligible for consideration for absorption. With regard to class-III employees, I am of the view that qualifying days should be 85 days in a period of two years. In other words, for the class-III employees, if a person has worked for less than 85 days in a period of two calendar years, he would not be eligible for being absorbed finally in the Corporation's service, after passing the suitability consideration of the Screening Committee. So far as class-IV employees are concerned, qualifying period would be 70 days in a period of three years."

66. Much was sought to be made of the omission of the word 'calendar' at two places in the above quoted paragraph. According to Shri Paranjape, this omission was deliberate, and in his view, was made to emphasise that number of days worked during two consecutive years would be relevant for eligibility. There is no substance in this contention because, at other places in the same paragraph which is quoted above, the learned Presiding Officer has specifically stated that period of work in two calendar years in the case of class-IV employees and in three calendar years in the case of class-III employees would be relevant for the purpose of computing the

period of eligibility. The calendar years need not necessarily be consecutive and the award did not lay down that the calendar years should be consecutive calendar years. The phrase calendar year was used to emphasize that the year is not to commence from any date. Moreover, the phrase 'period of two years' or the phrase 'period of three years' does not necessarily mean period of two consecutive years or period of three consecutive years. The guidelines issued in this behalf by the Corporation are clearly inconsistent with and contrary to the provisions of the award.

67. One of the instructions in the circular dated 18th September, 1986 was that only those employees who worked for the requisite period in their own name and not in any other fictitious name should be considered eligible for inclusion of their names in the pools. This is clearly inconsistent with and contrary to the directions in respect of formation of pools contained in paragraphs 44 to 47 of the award. The award not only laid down that work done in different names and different capacities by the same workman should be taken into consideration for computing the period of eligibility, but also laid down a definite procedure for resolution of disputes in case the claim of a particular workman that he had worked in different names or in different capacities was factually disputed by the Corporation. It would be worthwhile to quote the exact directions of the Tribunal contained in the award on this point. The directions which are contained in para 46 are as under :—

"In the circumstances which I have indicated earlier and in view of the various claims made, the workmen having worked in different names and in different capacities, it is possible that some disputes may arise as regards the claim of the workmen for the period for which he has worked, with regard to the capacity in which he worked and the manner in which he was paid. Where the Corporation admits or accepts the workman having worked either in the capacity or the period or in the names, there would be no difficulty. Where, however, the Corporation does not admit that the workman worked for the period he claims or in the capacity in which he claimed, there might be some difficulty or problem. Such problems have to be resolved and should be resolved with the help of the material evidence which the workman or the union of which he is a member produces and the Corporation has. Any decision in this behalf should be made in consultation with the union of which the workman is a member and by an officer of the Divisional Head-quarters of the Corporation not below the rank of an Assistant Divisional Manager to be nominated by the Divisional Manager. Preferably such person should be the Assistant Divisional Manager in charge of Personnel Department or responsible for that department."

68. It was contended on behalf of the Corporation that the procedure prescribed was only in respect of a dispute about period of work or the capacity in which the workman had worked and not for resolving a dispute relating to work done in different names by the same workman. Reading the above quoted provision as a whole, the contention of the Corporation in this regard deserves to be rejected. It is significant that the learned Presiding Officer specifically observed that where the Corporation admits or accepts the workman having worked either in a capacity or in a different name during a particular period, there would be no difficulty, and then went on to lay down the procedure to be followed in case the Corporation disputed the claims. Much significance, therefore, cannot be attached to the omission of the word "or in the names" in the direction in respect of resolution of the dispute contemplated by the above-referred provision.

69. It will also be seen from paragraph 40 of the award that evidence was led before the Tribunal to the effect that workmen had worked in different capacities, were paid in different forms and had worked even in different names and it is for this very reason that the learned Presiding Officer rejected the suggestion that the services rendered prior to 1-1-1982 should also be considered and given weightage. It is also inconceivable that the same workman could have worked in different names without the concurrence of the officers of the Corporation. It appears as a matter of fact that this subterfuge was developed in order to circumvent the directions issued by the Corporation not to employ any person as temporary, badli or part-time for more than 85 days in a year while ostensibly implementing the said directive. It was obviously issued in order to ensure that such workmen do not get the status of permanency, undoubtedly an unfair labour practice in itself.

70. As per the award, work done by the same workman in several names must be taken into consideration for computing the period of eligibility and the fact that such workmen were required to work in different names, obviously because of the artificial and unjustified constraint imposed by the Corporation, would not justify the Corporation in styling them as undesirable within the meaning of the award and exclude them on that ground.

71. Work done in different capacities by the same workman has to be taken into consideration for computing the period of eligibility. It is not disputed that this position flows from the award, but the Corporation has sought to exclude those workmen who had not worked in any capacity having regular scales of pay, those workmen engaged as coolies, hamals, etc. for specific job like shifting of furniture, cleaning of record, etc., workmen engaged by the contractors, Tenants Association, Licencees' Association or any other outside agency or the Security Guard Board and also those engaged by the Corporation on work-charged basis specifically for the project works. This cannot be said to be inconsistent with or contrary to the provisions of the award because the award is silent on the position of such workmen. What the award directs is that work done

by a workman in different capacities should be taken into consideration. It will be seen from paragraphs 45 and 46 that the word 'capacity' is used to denote status as badli, temporary or part-time and not to denote classification of the workmen as Peons, Sweepers, etc. As laid down in paragraph 45 workman applying for absorption must state the capacity in which he worked during whatever periods in the entire period, whether he worked as badli, temporary or part-time and also state in which of the pools and in which class of employment, he intends to be considered; whether he wants to be treated and considered in the badli, temporary or part-time pool; as also the class of the workmen such as Peon, Sweeper, etc. While the award lays down that work in every capacity must be taken into consideration, it does not lay down that the work done, though for the Corporation in cadres and in categories outside the regular cadres of the Corporation should also be taken into consideration. The Corporation, therefore, was perfectly justified in directing that only those who worked in any capacity such as temporary, badli or part-time in regular cadres, having regular scales of pay should be considered and remaining persons should be excluded from consideration. This action was perfectly consistent with the award, which is silent about the position of those workmen who did not work either as badli, temporary or part-time in the regular cadres of the Corporation. Apart from the fact that this is consistent with the award, it is just as it should be. Otherwise, the Corporation would be required to create new cadres and classes of workmen for absorbing such workmen. The workmen who never worked as badli temporary or part-time in any of the regular cadres cannot be considered at all. However, if a workman has worked for some days in the regular cadre and some days in categories which do not fall in any of the regular cadres of the Corporation, such workman should be considered and in view of the provisions of the award, while computing the period of eligibility, in case of such a workman the period of work done in the posts outside the regular cadres and paid for either by the Corporation or any contractors or any other agency such as Tenants Association, Licences' Association or Security Guard Board, etc. shall also be taken into consideration.

72. By the circular dated 25th September, 1986 some instructions were issued in respect of finalising the lists (pools). One of the instructions was that if the period of absence of any candidate during the period of his temporary appointment was treated as extraordinary leave (E.O.L.), the same should be excluded for the purpose of eligibility, and also for the purpose of arriving at the number of days worked. This instruction is clearly inconsistent with paragraph 64 of the award which reads as follows :—

“Sofar as other conditions of service with regard to temporary and badli workmen are concerned, temporary workmen would be entitled to casual leave. They should also be entitled to earned leave calculated in accordance with the number of months actually worked by them, during the en-

tire year in the same manner as is calculated for regular employees. If the temporary employment continues for a longer period than one year, then such leave should be carried forward and accumulated for a maximum period of three years. Such temporary employees however, would be entitled to avail of the earned leave only after the first year of his total employment, and on the occasion of his second employment.”

73. As mentioned in paragraph 67, retrospective effect has been given to the award from 1-1-1982. Retrospective effect therefore, must be given to paragraph 64 also. Paragraph 67 also specifically directed the Corporation that the workmen should be paid wages to which they would have been entitled to, reduced by the wages, which have been actually paid to them, on the basis of the record of the service which the concerned workman had rendered during the relevant period, which would be simultaneously placed in the hands of the Corporation while following the procedure prescribed for absorption. This direction also makes it crystal clear that retrospective effect was intended to be given to the wages and other conditions of service laid down by the award for the temporary, part-time and badli workmen. Therefore, all the temporary workmen covered by the award would be considered to be eligible for getting casual leave and earned leave as per the rules of the Corporation, and the days of extra-ordinary leave, which such workmen were compelled to take because no casual leave or earned leave were available to them, will have to be counted for the purpose of computing the period of eligibility.

74. It was contended on behalf of the Corporation that even assuming that the temporary workmen would be entitled to take casual leave and earned leave by giving retrospective effect to paragraph 64, such days cannot be taken into consideration for computing the period of eligibility, because as per the award, for computing the period of eligibility only those days on which for concerned workman worked and for which he was paid wages can be taken into consideration. This submission is based on the direction issued by the learned Presiding Officer in paragraph 44. The Direction was that in calculating the number of days worked, worked days only upto the date of reference should be counted. According to Shri Paranjape, this clearly means that only those days on which the concerned workman actually worked can be counted for considering the period of eligibility. It is difficult to accept this submission. In the relevant sentence in paragraph 44, the emphasis was sought to be laid on the fact that only the worked days upto the date of reference should be counted, and the days of work from the date of reference till the date of relevant interim orders were to be ignored. This position is clear from the last sentence of paragraph 44 which recognises the fact that by that direction, the advantage which some workmen had obtained on account of interim orders would be nullified. The

phrase 'worked days' therefore must be given its normal connotation under the industrial law, and the worked days should include not only all those days on which the workmen actually worked, but all days on which he is deemed to have worked. The workmen, would be deemed to have worked on all days on which he was required to take extraordinary leave in lieu of casual leave or earned leave. Moreover the award nowhere laid down that only those days on which the workmen were paid wages should be taken into consideration. As a matter of fact, the workman who by virtue of paragraph 64 became entitled to get casual or earned leave during the relevant period would be deemed to have worked on all those days on which he was required to take extraordinary leave in lieu of casual leave or earned leave and must be paid wages for those days. The direction therefore, that the days of extra-ordinary leave should be ignored while computing the period of eligibility is completely inconsistent with the provisions of the award, so far as the temporary and regular part-time workmen are concerned. It is also pertinent to note in this context that the Corporation's circular dated 25-10-1972 itself provided for grant of casual leave at the rate of 1 1/4th days for each completed month of service for temporary employees. It appears that some of the offices of the Corporation, were not aware of this circular and denied casual leave even to those workmen who were appointed continuously for 85 days and compelled them to take extraordinary leave.

75. As a matter of fact, the circular dated February 25, 1987, recognises the position stated above. In the preamble of the circular itself, it is stated that the instructions contained in the circular were in respect of the wages and other conditions of service of the workmen covered by the award. What is stated in the penultimate paragraph of this circular is very significant. The said paragraph reads as follows :—

"These benefits are to be given to the temporary, badli and regular part-time workmen with effect from 1st January, 1982 or from the date of appointment, if later."

One of the benefits which was conferred on the basis of the award to the temporary and badli employees employed for a period of 30 days and above and to the regular part-time workmen, related to leave. While casual and privilege leave were made available to the temporary and badli employees employed for a period of 30 days and above, privilege leave, casual leave, and sick-leave were made available to the regular part-time workmen, besides making available maternity leave to regular-part-time women workers. The Corporation, however, committed an error of wrongly interpreting the phrase 'worked days' and ignoring on that basis the days of extra-ordinary leave, which the workmen were compelled to take in lieu of casual leave and earned leave which were made available to the workmen covered by the award retrospectively with effect from 1-1-1982.

76. This brings me to the question about the normal qualifications of eligibility for absorption, of the

workmen covered by the award. According to the Corporation, only those workmen who possess the requisite qualifications for appointment as per the recruitment rules of the Corporation are eligible for absorption contemplated by the award. It is contended that this position flows from the award. It is difficult to accept this submission. Firstly it must be remembered that the reference was in respect of conditions of service of temporary, badli and part-time workmen and absorption of workmen who were working in these categories with the Corporation for a number of years. As mentioned above, the dispute which was referred was not in respect of creation of additional posts and recruitment to such posts. The question of the workmen possessing the normal qualifications of eligibility prescribed by the recruitment rules, was therefore not relevant for the purposes of reference in question. The question was relevant into when the workmen were initially appointed by the Corporation. Admittedly some of the workmen were appointed even though they did not possess normal qualifications for eligibility. It would mean that in their case the qualifications were waived by the Corporation. Hence if the Tribunal intended to make the normal qualifications of eligibility prescribed by the recruitment rules, relevant for absorption, the award would have been specific on that question. Significantly, it is nowhere stated in the award, that no workman who does not possess the normal qualifications of eligibility prescribed by the Recruitment would be eligible for absorption. As a matter of fact, the award states to the contrary.

77. It will be seen from paragraph 51 of the award that the Corporation wanted the Tribunal to provide that only those workmen who had worked for not less than 85 days each in at least two years on and from 1-1-1982 and who satisfy the minimum educational qualifications be considered for employment, and that in case of such workmen, the Corporation was prepared to relax the age limit. The Tribunal rejected the suggestion about the worked days and ignored the one in respect of educational qualification. Further while dealing with the question of issuing guidelines to the screening committee, as to when a person can be considered as suitable or desirable, the learned Presiding Officer observed that it was not possible to lay down any specific guidelines in this behalf and that senior officers with experience who are to form the committee can be trusted to apply the relevant considerations and tests, keeping in mind that the tests are not for keeping people out, but to eliminate such who would in future pose problems in administration. The learned Presiding Officer then went on to observe further that "it is obvious that in their cases the Corporation's normal qualifications for eligibility are inapplicable." This is what the learned Tribunal observed in paragraph 55—

"As regards guidelines to the Screening Committee, it is not possible to lay down when a person can be considered as suitable or desirable. Senior Officers with experience are to form the committee and can be trusted to apply the relevant considerations and tests. It should however be understood that the test is not for keeping people out, but to eliminate such who would in future pose problems in administration. It

is obvious that in their cases, the Corporation's normal qualifications for eligibility are inapplicable."

78. It is clear that the last sentence governed those workmen who would in future pose problems in administration and for keeping out whom the test was contemplated. It is difficult to conceive that the Tribunal wanted to make the normal qualifications for eligibility inapplicable to persons who were to be weeded out as likely to pose problems in administration, while making them applicable to persons who are not expected to be eliminated. What the Tribunal wanted to emphasise was that persons who were likely to pose problems in administration should be eliminated even if they possessed normal qualifications of eligibility. If the normal qualifications for eligibility were to be relevant for the purpose of absorption, it was not necessary to emphasise this aspect of the matter. Moreover, if the last sentence in paragraph 55 is said to govern the entire body of workmen, it does not leave any doubt as to the intention of the Tribunal to make normal qualifications for eligibility inapplicable to the absorption contemplated by the award. The question is not whether it would be desirable to make the normal qualifications inapplicable to absorption. The question is what flows from the award. The award does not make the normal qualifications of eligibility applicable to the absorption contemplated by the award, which according to me was necessary in view of the fact that the question was of absorption of workmen who were in the employment of the Corporation for a number of years, though intermittently. On the contrary, there are observations in the award which show the contrary intention.

79. The same position holds good in case of the age limit. The age of the workman at the time of absorption is not relevant. His age at the time of first employment would have been relevant, and in case of a workman who was over-age at the time of his first employment, it would be deemed that the age-limit was relaxed in his case. Moreover, before the Tribunal, the Corporation had specifically stated that it was prepared to relax the age limit for the purpose of absorption of the workmen covered by the award generally. There was therefore, no question, of leaving the matter of relaxation of age limit to the discretion of the screening committee. That direction in the circular dated 18th September, 1986 is clearly inconsistent with the award.

80. The award contemplates constitution of screening committee for the purpose of ascertaining whether the workmen whose names are included in the pools and who are eligible for consideration for absorption are suitable or undesirable, for being absorbed in the employment of the corporation. As mentioned in paragraph 55, quoted above, the learned Presiding Officer did not think it possible to lay down when a person can be considered suitable or desirable and left it to the senior officers with experience who were to form the screening committee to apply the relevant considerations and tests. The Corporation has

understood these directions to mean that the Corporation is expected to subject the candidates to an examination (written test and interview) contemplated by the Recruitment Rules of the Corporation, and on that interpretation of the award issued exhaustive instructions and guidelines for the purpose of holding the written test and interview of the candidates successful in the written test. This interpretation of the award is clearly wrong, because in the same paragraph, the learned Presiding Officer made a significant observation which clearly shows that the Corporation was not expected to hold an examination contemplated by Recruitment Rules for the purpose of ascertaining suitability or desirability of the candidates. He made it clear that the test was not for keeping people out, but to eliminate such who should in future pose problems in administration. In effect, the test was not expected to be for selecting candidates, but for finding out who amongst the persons who are otherwise eligible for absorption are unsuitable and undesirable. As a matter of fact, a plain reading of the direction, given in the award in this behalf will make it clear that the screening committee is expected to apply relevant considerations and tests for weeding out undesirable elements and not to hold any examination for selecting suitable or desirable candidates. The process contemplated elimination of undesirable or unsuitable workmen and not selection of suitable or desirable persons. The Tribunal never directed that the Screening Committee should hold tests. Moreover, if the Tribunal wanted that written examination and interview contemplated by the Recruitment Rules were to be taken for ascertaining suitability and desirability of eligible persons, nothing prevented the Tribunal from specifically stating that the candidates should be asked to give the test contemplated by the Recruitment Rules. It was not necessary to leave the matter to the discretion of the senior officers constituting the screening committee to apply relevant considerations and tests.

81. It is significant to note in this context that in the order dated 14th March, 1986, the learned Presiding Officer had indicated as to on what basis the question of suitability or desirability should be considered. He has specifically stated in that order that this question should be decided on the basis of the past record. It was urged on behalf of the Corporation, that no such record is available and hence the only manner in which the suitability or desirability can be considered is by holding the examination contemplated by recruitment rules. Firstly, it is difficult to believe that the Corporation has not maintained the record which it is expected to maintain. Secondly, the Corporation cannot take advantage of its own omission in not maintaining the relevant record and to subject the eligible candidates to appear for examination contemplated by the Recruitment Rules.

82. That regular test (written examination and interview) prescribed by the Recruitment Rules of the Corporation was not contemplated is also clear from the direction contained in Paragraph 48 of the award. As per the said direction the screening committee, after receiving the consolidated divisional pools for the purpose of deciding upon the desirability and

suitability of the employees, was permitted to require a workman to take a test, only if it considered so advisable and only in case of such workman who has a chance of being absorbed at a later stage in higher categories of employment. The relevant observations in paragraph 48 are as follows :—

“The Divisional pools which would be formed, will be consolidated and sent to the screening committee for purposes of deciding upon the desirability and suitability of the employees. The screening committee may, if it so considers, advisable in a given case, require the workman to take a test in the light of the workman's possible later absorption in higher categories of employment with the corporation.”

Even the above-quoted direction does not specify what type of test the screening committee is expected to ask the concerned workman to take. Even assuming that the test contemplated by para 48 is the test contemplated by the Recruitment Rules, it is clear that such a test is to be taken, only in respect of those workmen who have a later opportunity of absorption in higher categories, and not in respect of all pooled workmen generally. As per the award the screening committee is expected to apply considerations and tests only for weeding out unsuitable and undesirable elements.

83. The award prescribes a time schedule for completing the work of absorption. The workmen, claiming to be absorbed, were to file their applications for that purpose, within one month from the publication of the award. The Corporation issued instructions to reject the applications received after expiry of the said period. It is contended by the workmen that the time schedule fixed by the Tribunal for completing the process of absorption is not inflexible. There is substance in this contention. The relevant observations, which appear in para 60 are as follows:

“Applications must be given against acknowledgement with the divisional office and no contention or statement entertained that an application has been given, though not supported by an acknowledgement this must be done within a period of one month from the date of publication of the award. The divisional office then should formally prepare at list as directed above within a period of six weeks from the date of publication of this award and submit it to the zonal office concerned. The zonal office concerned should then consolidate such lists for all the divisional offices within a period of two weeks, i.e. within a period of two months and one week from the publication of this award. It is possible that the work of the screening committee for purposes of determining in the suitability of the concerned workmen may take a little longer time. Even then, I think they should be able to complete this work within a

period of two months from the date it is commenced, which commencement should not be beyond three months from the date of publication of this award. In other words, entire process of selecting and finalising names of workmen for absorption against the existing and additional vacancies which the Corporation may create or declare within this period should be over within a period of four or five months and selected workmen should be absorbed with a period of another one month, i.e. in all within six months from the coming into force of this award.”

The award nowhere laid down that applications received after one month should be rejected or that the corporation fails to complete each stage of the process of absorption within the stipulated time or the entire process of absorption within six months from the coming into force of the award, all the pooled employees shall stand automatically confirmed. It is inconceivable that the time limit prescribed for filing applications is made rigid and inflexible while the time limit prescribed for completion of various stages of absorption is made flexible. It is a matter of record that the process of absorption was delayed by the Corporation during the pendency of the writ petition, though no stay of operation of the award was sought, and consequently the corporation was required to move the High Court for extension of time. The time schedule fixed by the award is not inflexible and hence the direction that applications received after one month from the coming into force of the award, must be rejected, is clearly inconsistent with the apparent tenor of the award and the rejection of the late applications by enforcing the directive is invalid.

84. The corporation has not taken any steps and has not issued any guidelines for ascertaining how many additional posts would be required for absorbing the workmen covered by the award, who are found eligible for absorption. It appears that no steps in that direction are taken because the corporation is labouring under an impression that the award does not expect the corporation to create additional posts and that the absorption contemplated by the award is expected to be restricted to existing vacancies and vacancies which may arise in future. This impression is wrong. The award expects the corporation to undertake the exercise, the object being that the practice of large scale employment of badli, temporary and part-time workmen should be done away with or at least restricted to an irreducible minimum number. True, it is that the Presiding Officer did not embark upon the exercise of determining the exact number of posts required to be created for absorbing the workmen covered by the award but he did direct the corporation to undertake such an exercise. Such an exercise contemplates collection of data about average employment of temporary, badli and part-time workmen, the total number of man days worked by such employees, the amount spent by the Corporation on such employees etc. But the Corporation has not taken any steps even to collect the

data required for taking a proper decision in the matter obviously on the wrong interpretation of the award that it does not expect the corporation to undertake the exercise and take a decision. As a matter of fact that is also a part of the process of absorption contemplated by the award and was expected to be undertaken and completed within the stipulated period of six months or on the footing that the time schedule fixed by the Award is flexible, within a reasonable time thereafter.

85. As indicated by me while interpreting the various provisions of the award, the absorption contemplated by the award does not mean recruitment,

86. The Corporation wanted this Tribunal to issue directions to enable it to implement the reservation policy and to fill the back-log of SC/ST candidates in the employment of the Corporation. The award is silent on this aspect of the matter and the directive sought is beyond the scope of this reference. So are most of the directions which the unions wanted me to issue to the Corporation.

M. S. JAMDAR, Presiding Officer

[No. L-17011(2)|83-D. IV(A)]

K. J. DYVA PRRASAD, Desk Officer

